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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Third periodic reports submitted by States parties under articles 16 and 17 of the Covenant in accordance with the programmes established by Economic and Social Council resolution 1988/4

Addendum*

BULGARIA

[16 September 1996]

* The second periodic report concerning rights covered by articles 6 to 9 submitted by the Government of Bulgaria (E/1984/7/Add.18) was considered by the Sessional Working Group of Governmental Experts on the implementation of the International Covenant on Economic, Social and Cultural Rights at its 1985 session (see E/1985/WG.1/SR.9 and 11). The second periodic report concerning rights covered by articles 10 to 12 (E/1986/4/Add.20) was considered by the Committee on Economic, Social and Cultural Rights at its second session (see E/C.12/1988/SR.17-19) in 1988.

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Introduction

1. In accordance with the revised general guidelines regarding the form and contents of reports to be submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights, the present report deals with the most important amendments in Bulgaria's national legislation and practice, relevant to the rights proclaimed in the International Covenant. Additional references can be found in the above-mentioned reports as well as the statement by the representative of the Government of the Republic of Bulgaria in introducing the reports together with the answers to the questions raised during the discussion.

2. Following the submission of the first and second reports in 1984 and 1987 respectively, radical political, economic and social changes took place in the Republic of Bulgaria, particularly between 1989 and 1995. They brought an end to one-party rule, established political pluralism, and promoted democracy and the rule of law. The Grand National Assembly, convened in 1990, adopted in 1991 a new Constitution of the Republic of Bulgaria which revoked the Constitution of 1971 and established State and public activities on the principles of democracy, political pluralism, the rule of law and freedom of economic enterprise. Instead of a centralized and regulated planning system, Bulgaria moved towards a system of free-market economy. The national economy was sharply liberalized through the introduction of a monetary strategy for reforms. A number of successive governments were the result of democratic elections. Wide vistas opened up for the development of the personal and public initiatives of citizens. All this sums up the character of the transitional period which Bulgarian society is going through, as are other countries in Central and Eastern Europe.

3. Notwithstanding the positive aspects and achievements of this period, both the State and the citizens have been confronted with considerable difficulties. As a result of the collapse of Eastern European plans for economic integration and certain ill-judged internal and foreign policy decisions, the fundamental relationships between production and technology were heavily impaired. Industry and agriculture lost their traditional markets in Eastern Europe and the Middle East. The international sanctions imposed in connection with the war in the Persian Gulf and the crisis in the former Yugoslavia took a heavy toll on Bulgaria's economy. Because of enormous difficulties in supply and marketing, coupled with restrictive credit and taxation policies, the majority of the State-run enterprises are in enormous financial difficulties. The private sector has been developing mainly in the spheres of commerce and services; less in that of production. Privatization as a process is moving forward with difficulty. Continuous political instability and delayed reorganization of the legal system is frightening away prospective foreign investment. The agrarian reform has brought agriculture to a crisis situation, instead of providing an impetus to the other branches of the economy to overcome their critical situation. As a result of these and other factors, gross national product (GNP) and the production of the basic branches of the economy reached unprecedentedly low levels in time of peace. Bulgarian society has been confronted for the first time with such negative phenomena as unemployment, drug addiction, a high crime rate, etc.

4. The promotion of fundamental human rights and particularly those in the economic, social and cultural fields is being carried out in these conditions, which, while offering new opportunities, are bringing the society face to face with unprecedented difficulties. Human rights underlie the Constitution of 1991. Thus, the system of values and norms of modern-day individualism, which is the basis of the market economy, was given legal recognition and was regulated by the highest legislative act of the country. Legal, institutional and cultural prerequisites were created for the country to move towards a new stage in modernizing society and in the comprehensive development of the individual. In spite of the expectations of the majority of the people at the beginning of the 1990s, the transition towards a market economy and democratic political institutions turned out to be rather long and to have a high economic price. This, hopefully, will be revealed in the present report, which reflects Bulgarian legislation and official statistics as at 1 October 1995.

I. GENERAL PROVISIONS OF THE COVENANT

Article 1

5. The right to self-determination has been fully implemented in the Republic of Bulgaria. Bulgaria is an independent State and a parliamentary republic. It is a united and undivided State with self-government at the municipal level, which does not allow for autonomous territorial administration. These principles have been embodied in articles 1 and 2 of the Constitution, adopted by the Grand National Assembly on 12 July 1991. According to article 4 (1) of the Constitution, Bulgaria is a State of the rule of law, and is governed by the Constitution and the national legislation. The Constitution, the legislation and other normative acts have incorporated, and now apply in practice, the provisions of the International Covenant. 1/

Article 2

6. The Constitution of Bulgaria guarantees the equality of citizens before the law (art. 6). The Constitution prohibits any discrimination, privileges or restrictions, based on race, nationality, ethnic origin, sex, descent, religion, education, convictions, political affiliation, and personal or social or property status (art. 6.2). In this way it guarantees the rights recognized in the Covenant to all citizens of Bulgarian and non-Bulgarian descent. This principle is featured also in the existing Bulgarian legislation. No distinctions whatever are allowed with regard to Bulgarian citizens of Bulgarian and non-Bulgarian origin.

7. As stated in the preceding paragraph, article 6, paragraph 2, of the Constitution prohibits discrimination based on race, nationality, ethnic origin, etc. This prohibition is relevant to all the rights proclaimed by the Covenant, as the latter, by virtue of the provisions of article 5, paragraph 4, of the Constitution, is part of the national legislation of the Republic of Bulgaria. This prohibition is specifically applied with respect to the following:

(a) Labour rights (the right to work, the right to rest, the right to paid holidays, the right to remuneration, the right to good occupational safety and health conditions, the right of professional association). Article 8, paragraph 3, of the Labour Code states: "In the implementation of labour rights and obligations no discrimination, preferences and/or privileges, or restrictions, based on nationality, origin, sex, race, political and religious convictions and beliefs, membership in trade unions and other public organizations and movements, public and material status shall be allowed". Article 172, paragraph 2 of the Penal Code states: "Whoever intentionally prevents someone from taking a job or forces him or her to leave his or her job because of nationality, race, religion, social status, membership or non-membership in political parties, organizations, movements and coalitions because of his political or other convictions, shall be liable to imprisonment of up to three years, or a fine of up to 30,000 (thirty thousand) leva";

(b) The right to education. Article 4, paragraph 2, of the Law on National Education (published in the State Gazette No. 86, 1991) states: "There shall be no restrictions or preferences and/or privileges based on race, nationality, sex, ethnic or social origin, religion and social status".

8. The Republic of Bulgaria participates in cooperation for development. This cooperation is also being used to develop the rights contained in the Covenant. Below are some of the specific programmes:

(a) "Women in development", which began in 1994, is aimed at perfecting the system of statistics dealing with the situation of women (BUL - 93 - 001);

(b) "Assistance for the transition towards a market economy" began in 1994 and is aimed, inter alia, at assisting enterprises in the period of transition while preserving and developing employment (BUL - 93 - 002);

(c) "Social security reform" began in 1993 with the aim of preparing a National White Paper on social security in connection with the reform of the legal system relating to social security (BUL - 94 - 001);

(d) "National information system for ecological monitoring and control of agricultural lands" began in 1994 with the aim of identifying polluted land and of developing the cadastral register of agricultural land (BUL - 94 - 002);

(e) "Food quality control system" began in 1994 with the aim of assisting food manufacturers to improve the quality of foodstuffs and to meet the demands of the market (BUL - 94 - XXX);

(f) "Ecological monitoring and control of the pollution of the Maritza River basin" began in 1994 with the aim of establishing a pilot system for a drinking water authority, which could be employed on a nationwide level (BUL - 94 - 003).

II. SPECIFIC RIGHTS CONTAINED IN THE COVENANT

Article 6

9. The Republic of Bulgaria is a party to ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111); International Convention on the Elimination of All Forms of Racial Discrimination; Convention on the Elimination of All Forms of Discrimination Against Women. The Republic of Bulgaria regularly submits its periodic reports dealing with the implementation of the ILO Convention in accordance with article 22 of the Constitution of the ILO. As for ILO Convention No. 122, which Bulgaria has not yet ratified, though the necessary steps for ratification have been undertaken, the Government submits overview reports in accordance with article 19 of the Constitution. The latest reports were submitted in 1993. The second and third consolidated report of Bulgaria concerning the Convention on the Elimination of All Forms of Discrimination against Women was submitted to the Committee on the Elimination of Discrimination Against Women in 1994.

10. Following a constant increase in employment during the years of centralized planning and regulation of the economy, a sharp and systematic decline has been observed in the number of Bulgarian citizens employed since 1989. The first official registration of the unemployed in Bulgaria began in 1990. According to the National Statistical Institute employment in Bulgaria diminished by 26.2 per cent, i.e. from 4,365,000 to 3,221,838 in the period 1989 to 1993. The employment rate of 2.3 per cent in 1989 reached 13 per cent in 1991. In 1992-1993 the downward trend continued although at a slower rate, as can be seen in the following table: 2/

Indicator	1990	1991	1992	1993	1994
Total unemployed	65 079	419 123	576 893	626 141	488 442
Rate of unemployment	1.7%	11.9%	15.3%	16.4%	12.8%
Job vacancies	28 386	9 994	7 170	7 437	11 041

11. The decrease in employment has affected nearly 2 million 3/ persons mainly in the State and cooperative sectors. These job losses were not counterbalanced by the private sector where employment rose from 239,000 to 743,000 in one year. Private sector employment rose from 5.5 per cent in 1989 to 35.9 per cent in 1993. According to the National Labour Employment Agency the rate of unemployment on 31 December 1994 was 12.8 per cent, whereas by August 1995 it had gone down to 10.7 per cent; on 31 August 1995, the total number of unemployed persons stood at 406,959. The average number of job vacancies available every month was 15,352 in 1991, 10,260 in 1992, 8,403 in 1993, 10,997 in 1994 and 15,299 by August 1995. Industry accounted for the biggest drop in employment during the period 1990-1994 (56.5 per cent), followed by construction and building (42.9 per cent).

12. The following are some of the basic characteristics of unemployment in Bulgaria:

(a) The 30-year-olds accounted for 43 per cent of the unemployed at the end of 1993; unemployment stood at 38 per cent among 24-year-olds;

(b) Unskilled labour accounted for a rather high percentage among the unemployed - 52.8 per cent by the end of 1993; 4/

(c) Unemployment is predominant in the production sector. The rural economy was seriously affected by the return of private property and agricultural reform. Employment is only in such sectors as finance, credit, insurance and management;

(d) There are significant regional variations in the number of the unemployed: most affected are the peripheral mountainous regions (because production was discontinued in workshops and branches of the big companies). The level of unemployment is higher than the national average in the districts of Montana, Plovdiv, Rousse, Sofia, and Haskovo;

(e) Long-term (over a year) unemployment accounted for more than 30 per cent of the total by the end of 1993; 5/

(f) Unemployed persons having a right to compensation and unemployment allowances accounted for 36.5 per cent of all the unemployed by the end of 1993.

13. The percentages of unemployed by age and sex at the end of 1994 were as follows:

Sex	Age		
	up to 24	24-45	over 50
Men	26.5	60.3	13.2
Women	25.9	65.6	8.5

14. There were 488,442 registered unemployed persons at the end of 1994, of whom 265,430 were women. By age groups, the figures are as follows: up to 29 - 199,234 (108,520 women); 30-49 - 237,288 (134,340 women); over 50 - 406,657 (August 1995), of whom 226,531 were women and 975 handicapped. A breakdown of the age groups shows the following: up to 24 years of age - 109,657; 25-29 - 59,890; 30-44 - 148,664; 45-49 - 43,797; over 50 - 44,951.

15. Unemployment is a new social phenomenon for Bulgarian society and steps have already been taken to begin coping with it:

(a) A basis of normative acts to deal with unemployment has been created by Decree No. 57 of the Council of Ministers of 1989 for redirecting to other branches and effective employment of laid-off personnel (State

Gazette No. 96 of 1989; amendments in No. 81 of 1990, Nos. 23, 49 and 91 of 1991, Nos. 35, 43, 59 and 90 of 1992; amendments in Nos. 26, 68 and 69 of 1993; amendments in No. 96 of 1994), Decree No. 110 of the Council of Ministers of 1991 on measures to resolve urgent problems in employment and unemployment (State Gazette No. 49 of 1991, amendments in No. 91 of 1991, Nos. 35 and 90 of 1992), as well as other normative acts of the Council of Ministers and the Ministry of Labour and Social Services. They regulate the labour and insurance rights of the unemployed, and the obligations of employers and the State in preventing and curbing unemployment. Unfortunately, a general law on employment has long been in the making but has not yet been adopted;

(b) A National Employment Agency was set up under the Ministry of Labour and Social Services to register those unemployed who are actively seeking employment; to register jobs offered by employers; to offer jobs to persons actively seeking employment; to implement social security for the unemployed. The agency has set up 9 regional employment centres and 120 labour offices;

(c) A secondary labour market began to emerge as a result of the high rate of unemployment and the small number of job vacancies;

(d) A programme for temporary employment in public spheres was prepared in 1993, and is now in the process of being implemented;

(e) There are programmes of alternative employment for laid-off workers and employees in those regions where uranium mining is being closed down and where ore mining is being reorganized;

(f) There is a programme for the employment of young people;

(g) There is also a programme for the employment of laid-off persons belonging to ethnic minorities.

16. Presently, the Republic of Bulgaria is not in a position to adopt special measures with a view to ensuring productive employment. An ILO team for Central and Eastern Europe has recommended the adoption of special measures in this respect. This is a task yet to be done. As a beginning, steps have been taken to encourage full productive employment, which is impossible under the present conditions.

17. The Bulgarian constitutional, labour and penal legislation contain important provisions guaranteeing the freedom of work and the compliance of the working conditions with the basic political and economic freedoms of the individual:

(a) The Constitution of the Republic of Bulgaria, article 48, paragraph 3, states: "Everyone shall be free to choose his or her profession and place of work";

(b) Labour Code:

(i) Article 2, paragraph 2, states: "This Code is aimed at ensuring the freedom and protection of labour as well as just and honorable working conditions";

(ii) Article 8, paragraph 3: "In implementing labour rights and obligations there shall not be any discrimination, preferences, or restrictions based on nationality, origin, sex, race, political and religious convictions and beliefs, membership in trade union and other public organizations and movements, social and material status";

(iii) Article 326, paragraph 1: "A Worker and/or an Employee can terminate his or her labour contract by forwarding a written notification to that effect to the Employer";

(c) The Penal Code, article 172, paragraph 1 states: "Whoever prevents by pressure anyone from taking a job or forces him/her to leave his/her job because of their nationality, race, religion, social origin, membership or non-membership in political parties, organizations, movements or coalitions, because of political aims or because of his/her political or other convictions and those of his/her relatives and relations, shall be punished by imprisonment of up to three years or a fine of up to 30,000 leva."

18. The right of citizens to professional qualification is guaranteed by article 53 (6) of the Constitution, which reads as follows: "The State shall ... provide opportunities for occupational qualification and retraining". This right is recognized in articles 229-237 of the Labour Code, as well as decree No. 57 of the Council of Ministers of 1989 for redirecting to other branches and effective employment of laid-off personnel, as well as other normative acts of an interministerial and ministerial nature.

19. Schools and educational institutions providing professional training shall be considered in the chapter dealing with education (art. 13).

20. Measures for professional qualification and training of the elderly are in compliance with and are a basic element of the measures on employment. Professional qualification programmes are often a fundamental element of the national, branch and regional employment programmes, as well as in different enterprises. Independent labour qualification programmes are now being prepared and made use of, such as:

(a) a programme for education, training and employment for the Plovdiv region, specifically meant for neighbourhoods with a mixed ethnic population. Under the programme 700 persons receive free training to acquire a profession, additional training and professional qualification and retraining. The programme is expected to have economic and social effects. It was also introduced in the city of Pazardjik, where 100 Roma went through training courses. Another programme called "From Social Care to Employment" was set up for the unemployed on welfare in the towns of Vidin, Isperikh, and Lom;

(b) a National Programme for Youth Employment has also been launched in which the pilot project "Training and Retraining" is the basis for encouraging youth employment. It also provides for professional qualification and requalification of young experts and skilled young workers in enterprises which face either restructuring or being closed down as a result of the country's economic reforms; it also includes training of young people with an elementary and secondary education but with no profession, practical training of young people with high school and university diplomas, and training of young people to begin their own businesses;

(c) Another programme called Programme for Professional Training and Rehabilitation of Persons with Impaired Eyesight aims at solving the employment problems of persons belonging to this disadvantaged group. There are also possibilities for training programmes for other disadvantaged groups and individuals;

(d) A programme called System of Professional Orientation and Consultation of Youth and the Elderly in Conditions of Market-Economy Transition is about to be put into effect.

21. Other programmes are about to be prepared to deal with the professional training of underprivileged and disadvantaged groups in the labour market such as young people, the disabled and the long-term unemployed. Their training will be done on the basis of the results of the consulting services project in professional training of the elderly, undertaken with the assistance of the World Bank.

22. The efforts to ensure full, productive and freely chosen employment in the Republic of Bulgaria face a number of objective and subjective difficulties in the current transitional period. Labour market policies at present are not aimed at securing full employment, but rather at promoting active measures on the part of the labour market.

23. The basic objective difficulty is the fact that the monetary and fiscal measures being taken now have a definite impact on the process of supply and demand for manpower and have resulted in a huge reduction in employment in the State and cooperative sectors. The expectations of a speedy development of the private sector failed to materialize and the latter was unable to take on those laid off from the State and cooperative sectors. To this one must add the economic heritage left from the Council for Mutual Economic Assistance and its deformed production structure, predominantly well-developed and military oriented heavy industry and electrical engineering, the loss of existing markets and the difficult access to new ones, the changes in the form of land ownership, agricultural reform, etc.

24. Among the subjective difficulties are the lack of experience in managing the labour market, inadequate training of those working in the national employment agency, the failure of those citizens who have been compelled to change their professions to adjust psychologically, politicians underestimating the problems of unemployment, etc. These difficulties are still being tackled.

25. As was pointed out earlier (see art. 2), Bulgarian legislation prohibits discrimination in the field of labour and professions in accordance with the requirements of ILO Convention No. 111, and proclaims the freedom and equality of labour. This principle is applied in legislative, judicial and administrative practices. However, there are some problems with employment in the regions with a mixed ethnic population. These problems are not connected in any way with discrimination against persons belonging to ethnic groups, but rather with the fact that inadequate education and professional training of a great part of that population and the great number of registered unemployed Bulgarian citizens limit their opportunities of finding suitable jobs in conditions of competition and higher demands of the labour market in the transition towards a market economy. In order to cope with this situation the Ministry of Labour and Social Care has been pursuing a selective action-oriented policy the aim of which is to assist the disadvantaged groups of the unemployed on the one hand, and the employers on the other, with regard to the labour market.

26. The methodology employed by the National Statistical Institute in the Republic of Bulgaria does not distinguish by race, colour and religion the structure of professional training and qualification, employment and crafts. As far as the employment of women is concerned, they account for 49.3 per cent of the economically active population. Women also account for 55.6 per cent of employed university graduates, 50.5 per cent of secondary vocational graduates, 52.1 per cent of high school graduates, and 47.1 per cent of those having only primary and junior high school. By May 1993 they accounted for 87.4 per cent of the office employees, 60.6 per cent of the specialists, 59.6 per cent of trade and sales assistants, 51.6 per cent of those with semi-skilled training, and 51.3 per cent of unskilled labour. 6/

27. Below are statistics concerning professional qualifications:

Type of educational institute	1985/86 total/women	1990/91 total/women	1992/93 total/women	1994/95 total/women
Vocational technical schools	1 461 159	2 631 348	2 533 391	4 194 980
Secondary vocational technical schools	114 036 35 871	113 139 39 910	110 384 39 916	100 355 32 711
Specialized technical schools	95 651 42 784	125 728 53 637	11 329 44 435	112 046 47 037
Colleges	9 536 7 085	31 943 21 118	30 261 21 044	25 161 18 696
Universities (B.A., M.A.)	101 507 53 816	151 510 73 755	162 009 89 464	196 046 115 542

28. Bulgarian legislation sets out some requirements for certain posts/positions and for practicing certain professions which are not deemed as constituting discrimination in the meaning of ILO Convention No. 111. In such cases, however, no distinctions, exceptions or preferences of any kind, based on race, colour, religion or national origin are allowed. This is also the case with respect to the prohibition on women being employed in certain types of labour (art. 307 of the Labour Code), including jobs involving hard physical labour and those detrimental to the health of women. An exhaustive list of such jobs was published by the Council of Ministers with Ordinance No. 7 of 1993, on detrimental and physically heavy jobs prohibited for women (State Gazette No. 58 of 1993). In such cases the prohibition is meant to protect the life and health of women, and does not constitute an exception because of sex. This understanding was accepted and confirmed in Bulgaria following the ILO practice (Convention No. 45 on underground jobs for women of 1935).

29. Bulgarian labour legislation does not allow holding more than one full-time job at a time, since this would interfere with the minimum uninterrupted daily rest (art. 113 in conjunction with art. 153 of the Labour Code).

30. In 1984 the Republic of Bulgaria submitted its previous report on article 6 of the Covenant in connection with the right to work (E/1984/7/Add.18). Since then, and particularly since 1989, serious changes have taken place in the public, economic and legal spheres in Bulgaria which have had a definite impact on the legislation governing the right to work. Generally, these changes are confined to the legal regulation of social relations in the period of transition from a centralized planned economy towards a free-market one.

31. The juridical basis of the right to work in the new conditions is the provision of article 48 of the Constitution of 1991. Unlike the previous Constitution of 1971 which guaranteed that right while establishing the obligation for all able-bodied Bulgarian citizens to work, the present Constitution stipulates that it is the obligation of the State to assist citizens in exercising their right to work and to choose their occupation and the place and nature of their work (art. 48). This is being implemented both through economic measures and juridical regulation of employment relations, based on the provision of article 16 of the Constitution which provides for the State to guarantee and protect labour by law.

32. The basic law regulating the exercise of the right to work is the Labour Code of 1986 (State Gazette Nos. 26 and 27 of 1986, amendments in No. 6 of 1988, Nos. 21, 30 and 94 of 1990, Nos. 27, 32 and 104 of 1991, Nos. 23, 26 and 88 of 1992). It was radically amended in 1992 (State Gazette No. 100 of 1992). The basic idea of the Labour Code, as recognized in article 1, paragraph 2 is "to guarantee the freedom and protection of labour, as well as just and dignified conditions of labour". This idea is translated into practice in cases where the parties concerned discuss the creation or termination of jobs as well as the working conditions on the basis of minimum standards set out in the Labour Code. An important element in the legislation has been the introduction of judicial defence of the labour rights of citizens.

33. A number of normative acts of the Council of Ministers regulate relations in the labour market and establish the basic means through which the State assists in the exercise of the right to work in conditions of unemployment, such as by registering in employment offices those actively seeking jobs, informing about job vacancies and about opportunities for professional training and retraining, advising and directing candidates to vacancies, etc. Those acts include Decree No. 57 of the Council of Ministers of 1989 on redirecting and effective use of laid-off manpower and Decree No. 110 of the Council of Ministers of 1991 on resolving the immediate problems of employment and unemployment.

34. New guarantees for the exercise of the right to work have been created by means of restoring collective bargaining as a second-level regulation of labour relations (normative act - collective labour contract - agreement between the parties on individual employment relations), which establishes more favourable conditions of work and employment relations for workers and office employees than those defined in the normative acts of the State (arts. 50-59 of the Labour Code).

35. The Republic of Bulgaria has constantly received assistance from the ILO (in recent years particularly from the ILO team for Central and Eastern Europe), as well as from other international institutions, in preparing and implementing practical measures for the exercise of the right to work. Some of the more important examples of such assistance are as follows:

(a) ILO memorandum on the draft amendments to the Labour Code of 1992;

(b) Seminar on international labour norms, the freedom of association and the prohibition of discrimination in the field of labour and professions, held jointly with the ILO in September 1992;

(c) Conference on the the labour market and reforms in Bulgarian industry, organized by the Ministry of Labour and Social Care and ILO, May 1993;

(d) Survey on unemployment and the restructuring of 500 Bulgarian enterprises;

(e) Survey carried out jointly with the team for Central and Eastern Europe on collective bargaining in 700 Bulgarian enterprises.

Of particular use has proved to be the initiative for active partnership of the ILO Administrative Council carried out by the ILO team for Central and Eastern Europe.

36. Of particular importance has also been the role of international and foreign technical assistance in creating and regulating labour market relations in the new conditions in the Republic of Bulgaria. Such assistance has been accorded by ILO (e.g. preparing technical cooperation projects and procedures for their evaluation; an international fellowship workshop on promoting active policies on the labour market; "Approaches in Finding

Employment for the Disabled in the Countries of Central and Eastern Europe"; etc.); by the European Union within the framework of the PHARE program (e.g. creating an information system in the national employment agency, evaluation of the thoroughness and quality of computer equipment supplied under the PHARE program, etc.); by the World Bank (elaboration of a strategy for the labour market until 1991 and for the professional qualification of the elderly). Of specific importance has also been the assistance and cooperation of Austria, Belgium, the United Kingdom, Israel, the United States of America, France and other developed countries.

37. Both the consultative and technical assistance by the ILO and its specialized organs must be assessed very highly.

Article 7

38. The Republic of Bulgaria is a party to the following ILO Conventions:

No. 14 Weekly Rest (Industry) Convention, 1921;

No. 81 Labour Inspection Convention, 1947;

No. 100 Equal Remuneration Convention, 1951;

No. 106 Weekly Rest (Commerce and Offices), 1957.

The Republic of Bulgaria submits periodic reports to the ILO Committee of Experts on the ratified conventions. The latest one was in connection with Convention No. 81 submitted following a direct inquiry under article 22 of the ILO Constitution, covering the period until 1993. No significant changes have occurred since the submission of those reports.

39. The Republic of Bulgaria is switching over to contractual agreements to determine wages and salaries in conformity with article 66 and article 107 of the Labour Code of 1986, and Decree No. 129 of the Council of Ministers of 1991 on contracting wages and salaries (State Gazette No. 55 of 1991). The ILO conventions have been made use of in this respect.

40. In concluding wage and salary agreements all questions related to pay which have not been settled imperatively by law, such as the amount, the dynamics and the organization of wages, can be subject to negotiation. The basic indicators which determine wages are:

(a) Quantity, quality and effectiveness of work;

(b) Working conditions;

(c) Availability of means for wage increases;

(d) Economic considerations, such as demands for economic development, labour productivity and the desired level of employment.

41. Wages and salaries are fixed at three levels:

(a) National, which determines the minimum wage and some additional remuneration;

(b) Collective bargaining;

(c) Individual agreements between the parties in individual employment relations.

42. The right to a minimum wage is a fundamental constitutional right of workers and employees (art. 48, para. 5, of the Constitution). The minimum wage is fixed by the Council of Ministers (art. 244, para. 1, of the Labour Code). The Council of Ministers fixes the minimum wage having discussed it in tripartite cooperation with workers' and employees' trade unions and with the employers (art. 3 of the Labour Code). The minimum wage covers all workers and employees under labour contract. In December 1993 they were 2,124,800 workers in the public sector, while in December 1994 the number stood at 1,965,500. The minimum wage is determined for the lowest skilled labour in full-time normal working conditions.

43. Since the minimum wage is guaranteed by the Constitution (art. 48, para. 5) and by the minimum wage system provided in the Labour Code (art. 244, para. 1), the minimum wage system has the force of law. The fundamental rights of the citizens as recognized by the Constitution are irrevocable (art. 57, para. 1). This means that the fundamental right to minimum wage cannot be revoked, limited, restricted, etc. other than through an amendment to the Constitution itself.

44. The minimum wage is periodically adjusted through decrees of the Council of Ministers. The basic guarantee for its payment is contained in article 245, paragraph 1, of the Labour Code, which reads as follows: "A worker or an employee is guaranteed, provided they duly and faithfully implement their labour obligations, the payment of a monthly remuneration to the amount of the minimum monthly wage valid for the whole of the country".

45. In determining the minimum wage, due account is taken of the needs of the workers and employees and their families, the cost of living and its dynamics, the economic development of the country, the level of labour productivity and the maintenance of an adequate level of employment. All these are the subject of negotiations in the tripartite partnership between the State, trade unions and employers' representative associations. This procedure was introduced for the first time in an amendment to the Labour Code in 1992, and is provided for in its article 3. Specifically the tripartite cooperation defines the following:

(a) Ways and means, principles and procedures for fixing the minimum wage valid for the whole country, as well as the reasons, conditions and manner in which it is adjusted;

(b) The minimum hourly and monthly wages for the whole country and the recommended coefficient to differentiate starting wages according to the level of education;

(c) Types and minimum amounts of additional remuneration where this is not specifically provided for in the Labour Code;

(d) Ways of determining the sources for wages, various positions and coefficients for determining starting wages in enterprises being run from the State budget;

(e) Principles, ways and means, and terms for regulating sources of wages.

46. In addition, the minimum wage is subject to adjustments in different production branches. The fixed minimum wage valid for the whole country is the focal point in the negotiations on determining wages in the different production branches. The social partners here are entitled to negotiate a higher minimum wage for a particular production branch, taking into account the specific economic opportunities, economic demands, and the balance of forces of the social partners. This makes it possible to agree on a more just differentiation of wages for different branches, since the minimum wage determined on an average basis for the whole country does not necessarily comply with the specific working conditions and requirements of all production branches.

47. The last level of collective bargaining on the minimum wage takes place in the enterprise itself. There the employer and the representative trade union organization (arts. 50-59 of the Labour Code) are the parties empowered to negotiate. They determine the minimum hours, daily or monthly wage for the enterprise, and also the following:

(a) Starting wages, differentiated according to the categories of the personnel, positions, needed level of education or training, as well as the reasons and ways and means for their adjustment;

(b) Ways and means of evaluating jobs with a view to determining the wage;

(c) Ways and means of assessing labour efficiency and of consequently determining wages;

(d) Determining the types and amounts of additional remuneration;

(e) Pay increases depending on inflation and other economic factors;

(f) Mechanisms for distributing the sources for wages among various structural units in the enterprise;

(g) Defining the system to be taken into account in determining the wage in accordance with the particular working conditions in the various branches.

48. A basic requirement in determining the wages of workers and employees at each of the lower levels of contract bargaining is that only such conditions as favour the workers and employees may be put forward (art. 50; art. 66, para. 2, of the Labour Code).

49. The mechanism for determining, supervising and adjusting the minimum wage is dependent on the general mechanism of the income policy. The basic principles of this policy are a regulated formation and increase of the sources of wages in State-run and municipal factories and companies, for example a three-monthly regulation of wage sources in State-run and municipal factories and companies a three-monthly adjustment of wage sources in the budgetary sphere, and a minimum wage and other protected remuneration kept in accordance with the rate of inflation.

50. Wage fluctuations, average annual incomes and average annual expenditures per capita of households in Bulgaria are as follows (in leva):

Year	Minimum annual wage	Average annual wage a/	Average annual income b/	Average annual expenditure
1985	1 440	2 564	1 990	1 836
1990	1 836	4 329	3 102	2 920
1991	6 276	11 508	8 311	7 772
1993	14 851	38 776	20 638	20 123
1994	21 264	59 529	31 404	31 706

a/ Per capita in the public sector.

b/ Per monitored household.

51. Minimum and actual incomes of the population and nominal and actual wages are as follows (by index):

Index	1985	1989	1990	1991	1992
Nominal income	100	125.2	169.1	463.2	796.5
Actual income (in comparative prices	100	110.4	117.1	74.1	70.0
Nominal wage	100	128.4	168.8	448.7	959.3
Actual wage	100	111.8	117.7	71.8	82.5

52. The system of the minimum wage is observed effectively by the mechanism mentioned in paragraph 48 above.

53. As was already pointed out, the Constitution (art. 6, para. 2) and the Labour Code (art. 8, para. 3) explicitly recognize the equality of all citizens before the law, particularly the equality between men and women, including in respect of wages and other working conditions. Further reference can be obtained in the report of the Council of Ministers, dated July 1993 and addressed to the ILO Committee of Experts, regarding Convention No. 100 on the equal pay of men and women for equal work.

54. As far as wages in different production branches are concerned, here are the figures:

Branch	Average annual wage (in leva)						
	1985	1989	1990	1991	1992	1993	1994
Total	2 564	3 292	4 329	11 508	24 568	38 776	59 525
Industry	2 724	4 375	4 199	11 570	26 931	41 775	64 273
Construction	2 927	2 670	4 758	13 427	28 150	42 049	66 394
Agriculture	2 286	3 232	4 857	11 269	18 701	27 477	41 543
Forestry	2 077	2 833	3 443	9 249	18 203	28 395	41 176
Transport	2 871	3 580	4 670	12 577	28 446	46 609	75 594
Communications	2 369	3 039	4 146	12 060	25 893	41 834	66 119
Trade and commerce, material and technical supplies and purchases	2 188	2 788	3 794	10 341	24 176	38 015	58 628
Other branches of material production	2 659	3 545	4 269	12 858	31 418	45 592	66 446
Housing and services	2 299	2 955	3 912	11 434	25 070	38 744	59 198
Science and scientific servicing	3 013	3 720	4 614	11 699	24 400	38 399	60 344
Education	2 396	2 770	3 858	10 508	20 054	31 599	46 012
Culture and arts	2 348	2 944	3 750	10 115	19 166	30 167	44 936
Health, social insurance, gymnastics, sport and tourism	2 387	2 702	4 207	10 625	21 087	33 720	48 637
Finance, credit and insurance	2 513	3 219	4 614	14 124	39 291	75 999	12 849
Management	2 984	3 550	4 777	12 808	26 330	45 024	67 824
Other branches in the non-production sphere	2 664	3 084	4 125	10 778	24 888	45 511	63 093

55. Objective professional development on the basis of work done is guaranteed through the freedom to negotiate working conditions under the labour legislation, the payment of additional remuneration in cases of higher qualifications, etc.

56. The breakdown of annual incomes per capita of the population in the Republic of Bulgaria is as follows:

Nature of income	Nominal income (in millions of leva)				
	1985	1989	1990	1991	1992
Total	23 167.4	28 713.0	38 104.6	103 524.3	175 844.0
Income in money	19 379.3	24 510.4	31 590.4	82 662.9	149 804.0
Wages	12 939.3	15 913.2	19 193.1	39 413.9	75 541.0
From other economic activities	1 274.1	1 844.9	3 274.1	4 808.9	18 974.0
Social income (pensions, benefits, scholarships)	3 561.3	4 678.5	5 711.4	19 034.0	329 190.3
Income in kind	3 788.1	4 202.6	6 514.2	20 861.4	26 040.0

57. As to the respective structure of the State sector and the private sector, this is not currently monitored by the National Statistical Institute.

58. Article 48, paragraph 5, of the Constitution recognizes the right of workers and employees to healthy and safe working conditions: "Workers and employees shall be entitled to healthy and safe working conditions ...". This right is also recognized in article 124 of the Labour Code which reads as follows: "In their employment relation workers and employees shall perform their job which has been the subject of their contract, and shall obey labour discipline, whereas the employer shall ensure workers and employees such conditions in which they can perform their jobs, and shall pay them wages for the work done". The minimum standards in the exercise of this right are stated in chapter XIII, entitled "Safety and healthy working conditions", in the Labour Code as well as in other laws and normative acts of the Council of Ministers and the respective ministries. They apply to all workers and employees in employment relations. More favourable conditions than those established in the legislation can be agreed upon by means of the collective labour contract and also by individual agreements between the parties in employment relations.

59. The minimum standards regarding safety and healthy working conditions are imperative. They are part and parcel of the legal contents of the individual employment relationships. The obligation of the employer to create

such conditions is not only an individual legal obligation with respect to workers and employees in individual employment relations, but also a legal obligation towards the State, and he/she shall be liable under the administrative and penal procedures.

60. The minimum standards regarding safety and healthy working conditions are applied in all factories and companies and enterprises, including those of the Ministry of Defence and the Ministry of the Interior.

61. No category of workers and employees is excluded from the purview of the minimum standards regarding safety and healthy working conditions.

62. Labour accidents and occupational diseases in recent years are as follows:

Indicator	Year			
	1983	1989	1993	1994
Average number of personnel	3 329 918	3 164 401	1 617 952	1 424 501
Labour accidents	38 239	30 220	20 085	17 058
Fatal labour accidents	455	386	175	150
Labour accidents resulting in disability	189	201	116	86
Coefficient of the frequency of labour accidents	11.49	9.55	12.41	11.97
Coefficient of magnitude of labour accidents	24.86	27.97	27.00	27.00
Coefficient of frequency of fatal labour accidents	1.37	1.22	1.08	1.05

Registered occupational diseases						
	Acute			Chronic		
	1985	1990	1994	1985	1994	1995
Total	216	99	51	3 223	2 948	1 822
Occupational diseases	85	56	46	3 016	2 773	1 765
Occupational poisoning	131	43	5	207	175	57

Source: National Health Information Centre.

63. As has been repeatedly stated, the Constitution (arts. 6 and 48) and the Labour Code (art. 8) guarantee the equality of all workers and employees. This principle is also applicable with respect to the equal protection which covers all categories of worker and employee. Special protection covering certain socially disadvantaged groups (youth, women and persons with disabilities) is also available and is aimed at achieving equality in practice for these categories of worker and employee.

64. There are no workers or employees in the Republic of Bulgaria who are outside the scope of the action of the principle of equal treatment. As was stated earlier, there is special labour protection of certain categories of workers and employees in order to guarantee their genuine equality in the labour process. In this respect women avail themselves of all the rights recognized for workers and employees in general. At the same time there are additional rights and higher requirements which are meant to take into account the physiological differences of the female body and the status of women as mothers, wives and housewives. There are two categories in this respect:

(a) Labour in general for all women, which includes:

(i) Prohibiting jobs which are physically hard and hazardous to women's, particularly mothers', health (art. 307 of the Labour Code);

(ii) Equipping and maintaining rest-rooms for women's personal hygiene (art. 308 of the Labour Code);

(iii) Establishing different minimum norms for physical activity for women and for men;

(b) Labour for mothers (workers and employees):

(i) Equipping and maintaining rest-rooms for pregnant women workers and employees (art. 308 of the Labour Code);

(ii) Ensuring suitable jobs for pregnant women (workers and employees) and for breastfeeding mothers (workers and employees) whose regular jobs are unsuitable for their condition (art. 309 of the Labour Code);

(iii) Prohibiting business travel for pregnant women (workers and employees) and for mothers (workers and employees) of children up to three years of age, without their explicit consent (art. 310 of the Labour Code);

(iv) Pregnancy and maternity leaves (arts. 163-168 of the Labour Code);

(v) Providing the possibility of working at home while maintaining the validity of the employment contracts of mothers (workers and employees) with children of up to six years of age (art. 312 of the Labour Code);

(vi) Special protection for pregnant women (workers and employees) and mothers (workers and employees) with children up to three years of age against dismissal (art. 333, para. 1, item 1, of the Labour Code).

In addition there is special protection against dismissal of women (workers and employees) whose husbands have been drafted into the military services (art. 333, para. 1, item 1, of the Labour Code).

65. Article 306, paragraph 1, of the Labour Code (1986) established certain priorities while maintaining other equal conditions for women taking certain jobs which were particularly suitable for them. Practice showed, however, that the article was used rather sparingly. In addition it was found that the provision introduced certain inequalities based on "sex". Therefore, the provision was repealed by the Law Amending the Labour Code of 1992, paragraph 195 (State Gazette No. 100 of 1992).

66. Rules on working time, rest, leaves and holidays are set out in chapter VII and chapter VIII of the Labour Code. Unlike the Labour Code of 1951 and its later version of 1986, followed by the amendments in 1992, the existing Labour Code sets out the rules on working time, rest and leaves only as minimum standards. Better conditions for workers and employees can be agreed upon in the collective labour contracts and through the individual agreements between the contracting parties.

67. Amendments to the Labour Code of 1992 provide for the normal working day to be 8 hours in a 40-hour five-day working week. Under-aged workers and employees, and those working in hazardous and dangerous conditions, night shifts and on days immediately preceding weekends and holidays in a six-day working week, work reduced time without pay reduction. The amendments also provide for half-time and flexible working hours. Factories and companies are entitled to fix their own working hours.

68. Overtime work is forbidden as a matter of principle (art. 143, para. 2, of the Labour Code). It is allowed only in certain cases, explicitly set out in the Labour Code (art. 144), with increased pay (arts. 150 and 263). The maximum allowed working time per year is 150 hours.

69. The Labour Code provides for a half-hour break during the workday (art. 151, para. 1), a 12-hour minimum and uninterrupted rest between workdays (art. 152), and a 48-hour minimum and uninterrupted weekend rest (art. 153, para. 1).

70. Official holidays in the Republic of Bulgaria are:

1 January, New Year's Day;

3 March, Bulgaria's Liberation from the Ottoman Yoke, National Holiday;

1 May, Labour Day and International Workers' Solidarity Day;

24 May, Day of Bulgarian Education, Enlightenment and Culture, and of the Slavic Alphabet;

1 November, Commemoration Day of the Leaders of Bulgaria's National Revival;

24-26 December, Christmas;

Easter, two days (Sunday and Monday) in accordance with the Eastern Orthodox Christian calendar.

71. Workers and employees are entitled to paid annual leave provided that they have at least eight months of service (art. 155, para. 1, of the Labour Code). The duration of the paid annual leave depends on the length of service: 14 workdays for up to 10 years of service; 16 workdays for 10-15 years and 18 workdays for service of more than 15 years. A minimum of five workdays is added to the paid annual leave in jobs with hazardous and dangerous conditions, and for non-fixed workdays (art. 156 of the Labour Code). While on paid annual leave, workers and employees receive their wages before taxes (art. 177 of the Labour Code). Unused paid annual leave are prohibited from being compensated through payment, except in cases where employment relationships have been terminated (art. 178 of the Labour Code). Workers and employees cannot be dismissed while on leave without advance permission from the Labour Inspectorate (art. 333, para. 1, item 4, of the Labour Code).

72. In addition to paid annual leave the Labour Code also provides for other kinds of leave for workers and employees:

(a) Paid and unpaid leave for reasons of personal, civic and public obligations, such as getting married, burials, etc. (art. 157 of the Labour Code);

(b) Paid and unpaid leave in cases where workers and employees have been drafted for regular military service or for short-term military call-ups (art. 134 of the Law of Military Service; art. 158 of the Labour Code);

(c) Paid and unpaid leave for trade union activities (art. 159; art. 161, para. 2, of the Labour Code);

(d) Unpaid annual leave (art. 160 of the Labour Code);

(e) Official leave and sabbaticals (art. 161 of the Labour Code);

(f) Temporary disability leave (art. 162 of the Labour Code);

(g) Paid and unpaid pregnancy and maternity leave (arts. 163-168 of the Labour Code);

(h) Leave for exams and other educational purposes (arts. 169-171 of the Labour Code);

(i) Leave to celebrate religious holidays of religions other than the Eastern Orthodox Church (art. 173, paras. 2-3, of the Labour Code).

73. The rights of workers and employees with regard to working hours, rest, leave, weekends and holidays are strictly observed with control being exercised by the Labour Inspectorate.

74. There are no workers and employees in Bulgaria who are outside the scope of the rules with regard to working hours, rest, leave and weekends and holidays.

75. The last report of Bulgaria with regard to the right to just and dignified labour conditions was submitted to the Economic and Social Council of the United Nations in 1984. Since then important socio-economic and political changes have occurred in the country. A new constitution was adopted in 1991, and the Labour Code was significantly amended. The latter explicitly proclaimed the right to just and dignified labour conditions as an objective of the labour legislation (art. 1, para. 2). The legislation also recognized all gains obtained by workers and employees, and reaffirmed them as minimum standards with the possibility for workers and employees to obtain even more favourable ones above the minimum standard level. All the labour rights of citizens can be defended in court.

76. As stated above, Bulgaria has been receiving assistance from ILO on a constant basis in the preparation of its legal system and the realization of the right to work. Particularly useful were the consulting services rendered by ILO through its memorandum with regard to the amendments to the Labour Code of 1992. Technical assistance has not been rendered.

Article 8

77. The Republic of Bulgaria is a party to:

The International Covenant on Civil and Political Rights;

ILO Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize, 1948;

ILO Convention No. 98 concerning the Right to Organize and Collective Bargaining 1949.

The latest report of the Republic of Bulgaria on the implementation of the International Covenant on Civil and Political Rights was submitted in 1993. No significant changes have occurred since then.

78. The right to free professional association is proclaimed by the Constitution in article 12 and article 49, paragraph 1, and is set out in detail in article 4 and articles 33-49 of the Labour Code.

79. The Constitution of Bulgaria proclaims the freedom of citizens to form associations in general (art. 12) and to form trade union organizations and alliances in particular (art. 49, para. 1). The only limitation to trade unions and other associations of citizens is the requirement not to pursue any political objectives and to abstain from engaging in any political activities, since the latter are the domain of political parties (art. 12, para. 2). The Law on Political Parties defines the activities which are the exclusive domain

of political parties (State Gazette No. 29 of 1990 and amendments in No. 87 of 1990). If a trade union conducts any political activity the Prosecutor-General of the Republic shall warn it to re-register as a political party; if this is not done the Prosecutor-General shall demand that its activity be discontinued.

80. Workers and employees shall be free to form trade union organizations and alliances (art. 49, para. 1, of the Constitution). The Labour Code stipulates in article 4, paragraph 1, the following: "Workers and employees shall be entitled without any advance permission to freely form by their own choice trade unions, to join and leave them on their own volition with the only condition that they observe their statutes". Therefore, establishing, joining and leaving any trade union is entirely within the purview of the free choice of every worker and/or employee. Article 4, paragraph 1, of the Labour Code also explicitly emphasizes that this can be done without any prior permission. In accordance with article 33, paragraph 1, of the Labour Code "Trade unions ... shall, within the law itself, draft themselves their own statutes and rules and regulations for work, shall freely choose their own organs and representatives, shall organize their governing bodies and shall accept programmes for their activities". In order to create a trade union the following requirements are needed: workers and employees must have expressed their wish to create such a trade union; a statute and a programme for the trade union must be adopted; a governing body must be elected; the trade union must be registered in court in compliance with the rules about non-profit associations (art. 49 of the Labour Code).

81. Once a trade union and its branches are duly registered in court, they become a legal entity. In registering a trade union in the court of the district where it is headquartered, the court will verify only whether the statute, the programme and the governing body have been prepared and elected in accordance with the objectives of the trade union, as required by law. These objectives are set out in article 4, paragraph 2, of the Labour Code, which deals with the representation and protection of "the interests of workers and employees before State organs and employers relevant to issues of labour and social security and living standards through collective bargaining, participation in the tripartite cooperation, the right to organize strikes and take other action under the law". Registration in court constitutes only a notification, not a licence. The court shall not assess whether there is any need to create such a trade union, its suitability, etc.

82. Joining a trade union requires only the free personal will of a worker or an employee, addressed to the respective body under the trade union's statute. Admission to membership is subject to internal rules and regulations. The same applies in cases where a worker and/or an employee freely chooses to discontinue membership in the trade union.

83. There are no special rules dealing with the creation of trade unions with the exception of those involving the personnel of the armed forces and the Ministry of Defence, which shall be set out below.

84. As stated above, there are no restrictions in Bulgaria's legislation and administrative practice with regard to the right of workers and employees to create and to join trade unions.

85. There are no legislative or other restrictions in Bulgaria on the right of trade unions to form federations and to join international trade unions. All depends entirely on the internal rules and regulations of the respective trade unions and their desire to do so.

86. As stated above, the freedom to form trade union organizations and alliances is explicitly proclaimed in article 49, paragraph 1, of the Constitution. This freedom includes not only the right to form and join trade unions, but also their free activities. Article 12 of the Constitution regulates the free activities of citizens' associations, such as trade unions. These associations are meant only to satisfy the interests of their own members. The only restriction is not to engage in any political activities (art. 12, para. 2, of the Constitution).

87. The freedom and independence of trade unions is also proclaimed in article 33, paragraph 1, of the Labour Code, as quoted above.

88. The legal guarantees stated above apply to all trade union organizations, which resort to them in accordance with their possibilities (financial, membership, etc.).

89. Collective bargaining is regulated in chapter IV of the Labour Code. It is given broad scope because the Labour Code provisions establish only minimum standards for protection of the work of workers and employees, whereas collective bargaining and concluding collective labour contracts can settle all questions related to labour and social security relations which are not subject to the operative provisions of the law (art. 50 of the Labour Code). There are three requirements in the Labour Code which set the boundaries of the freedom to contract:

(a) The object of regulation. This includes labour and social security relations of workers and employees (art. 50, para. 1, of the Labour Code);

(b) Labour legislation provisions. A collective labour contract shall not include clauses counteracting the imperative provisions of the law (art. 50, para. 1, of the Labour Code);

(c) Contents of collective labour contracts. A collective labour contract shall not contain clauses which are less favourable for workers and employees than those established by the law (art. 50, para. 2, of the Labour Code). Such clauses shall be null and void.

90. An employer shall not refuse to conduct labour negotiations. There are two important obligations for any employer in this regard established by the law:

(a) To negotiate with a representative trade union for the conclusion of a collective labour contract (art. 52, para. 1, item 1, of the Labour Code);

(b) To provide trade unions with information pertaining to:

(i) Concluded collective contracts binding the parties by branch, territorial or organizational affiliation (art. 52, para. 1, item 2, e, (a) of the Labour Code);

(ii) The employer's economic status which is important for the conclusion of the labour contract (art. 52, para. 1, item 2, e, (b) of the Labour Code).

An employer shall pay compensation for damages incurred if he/she fails in the above obligations.

91. Membership of the largest trade unions in Bulgaria:

Trade Union	Members a/
Independent Trade Unions Confederation in Bulgaria (1994)	1 200 000 - 1 060 000
"Podkrepa" Labour Confederation (1993)	198 000 - 70 000
Free Trade Union Association in Bulgaria and General Headquarters of Branch Trade Unions (1994)	200 000 - 220 000
Democratic Trade Unions Alliance (1994)	50 000 - 60 000
"Edinstvo" ("Unity") People's Trade Union (1993)	118 000
Total	~1 800 000

a/ The difference in the membership of the Independent Trade Unions Confederation in Bulgaria is the result of different statistics: the first number has been obtained on the basis of figures provided by different federations about their territorial structures. The difference in the "Podkrepa" Labour Confederation is due to the fact that when the Government recognized it as representative it also recognized it as having 70,000 members. The figures given about the other three trade unions represent the assessment of the Independent Trade Unions Confederation in Bulgaria.

92. The Bulgarian Constitution of 1991 explicitly provides the right to strike, a provision proclaimed for the first time in Bulgarian legislation. It is proclaimed as a basic and irrevocable right of workers and employees in article 50 of the Constitution which reads as follows: "Workers and employees shall have the right to strike in defence of their collective economic and social interests. This right shall be exercised in accordance with conditions and procedures established by a law". The conditions and procedures for exercising the right to strike are established by the Law on Settlement of Collective Labour Disputes (State Gazette, No. 21 of 1990, amendments in No. 27 of 1991). Some of the most important guarantees in the exercise of the right to strike are: voluntary participation in strikes; prohibition of

lockouts; presumption of the legality of strikes until they are proven otherwise by a court of law; administrative-penal responsibility for anyone violating the provisions of the right to strike; recognizing the period of participation in a legal strike as time of service.

93. The exercise of the right to strike shall be allowed in all cases with the exception of those specifically prescribed by law. These restrictions are contained in article 16 of the Law on Settlement of Collective Labour Disputes of 1990, which reads as follows:

> "Strikes shall not be allowed in the following cases:
>
> 1. If workers' demands contradict the Constitution;
>
> 2. When the provisions of articles 3, 4, 11, paragraph 2 and 14 are not observed, and when there are questions which are the subject of a labour agreement or arbitration ruling.
>
> 3. In time of force majeur circumstances and related emergency salvaging and reconstruction operations.
>
> 4. In the field of electric power generation, distribution and supply, as well as in communications and health services.
>
> 5. For the purposes of resolving individual labour disputes.
>
> 6. In the systems of the Ministry of Defence, the Ministry of the Interior, the Construction Armed Forces Corps, the military services of other ministries, as well as in the judicial, prosecutor's and investigation organs.
>
> 7. Whereby political demands are being raised."

The above limitations as a matter of principle are generally observed in practice. There are, however, certain violations which unfortunately are not always penalized. There are often strikes demanding the resignation of administrative personnel in factories and companies (directors, managers, etc.). There were such cases in 1992 and 1993, and they were all declared illegal by the courts. A number of strikes were held in the summer of 1991 by health services personnel in the towns of Kazanlak, Silistra, Tutrakan, etc. There was a general strike on 17-20 May 1994 with the participation of what was announced to be 402 local trade unions in the health services. Those strikes were not sanctioned, and neither were the strikes in support of political demands in 1990, 1991, 1992.

94. As stated above, article 16 of the Law on Settlement of Collective Labour Disputes, in particular items 4-6 conforming to article 8, paragraph 2, of the Covenant, limits the right to strike of certain categories of worker and employee. For this reason they can resort to voluntary means of resolving collective labour disputes, such as direct and immediate negotiations, negotiations through intermediaries, voluntary labour arbitration, means of public pressure. These limitations are being observed in practice, with the exception of cases related to strikes in the health services (see above).

95. No information can be provided about the number of persons whose right to strike is limited because the National Statistical Institute does not collect such data. However, below is some pertinent information:

(a) The right to strike is prohibited with respect to 98,930 persons in the system of the Ministry of Defence; 7/

(b) The right to strike is prohibited with respect to 45,196 persons employed in the communications system in 1994.

96. The energy production sector falls under the category of "industry". Health services go together with social security, gymnastics, sport and tourism. The judiciary falls under the category of "other non-material branches of production". This is the reason why no exact information can be provided.

97. There are special procedures for establishing trade unions in the armed forces and the police. They are based on possibilities provided for in article 8, paragraph 2, of the Covenant dealing with restrictions on the right to form trade unions in the armed forces, the police and the administration of the State.

98. In accordance with article 82, paragraphs 1-3, of the Law on the Ministry of the Interior (State Gazette No. 57 of 1991), officers and sergeants within the system of the Ministry of the Interior shall not form trade unions other than those specifically established by the Ministry itself. At present there are the following trade unions within the system of the Ministry of the Interior: Independent Trade Unions Federation of the Ministry of the Interior, National Police Trade Union, Trade Union of Non-Commissioned Personnel of the Ministry of the Interior. There are about 10,000 members of the various trade unions of the Ministry of the Interior.

99. The current armed forces legislation (the Law on General Military Service of 1957) does not restrict the right of military personnel to form trade unions. The bill on the organization of the armed forces, currently under discussion in the National Assembly (Parliament), provides that armed forces servicemen are to be prohibited from becoming members of the general trade union organizations of workers and employees. They are to be allowed to organize on a professional basis in time of peace and for the realization of activities outside the scope of their official duties. This regulation as well as the regulation prohibiting the right to strike within the system of the Ministry of Defence concerns 98,390 persons. Presently, the professional organization of the servicemen in the Bulgarian army is the "Rakovsky" Bulgarian Officers' League.

100. Current legislation does not provide for any restrictions on the right to form trade unions and the right to strike of civil servants.

101. Existing restrictions on the right to form trade unions in the armed forces and the police, as well as restrictions on the right of military and police personnel to strike are strictly applied in practice.

102. The last report of Bulgaria on the exercise of the rights under article 8 of the Covenant was submitted to the Economic and Social Council in 1984 (E/1984/7/Add.18). Since then there have been important changes in the economic and social spheres in Bulgaria. They also concern the rights, proclaimed in article 8. The basic changes involve the following:

(a) Establishing the principle of pluralism in forming trade unions and employer' associations, as a result of which many such trade unions and associations have been created;

(b) Freeing trade unions from certain uncharacteristic functions such as getting involved in the management of enterprises, control over observance of labour legislation, etc. while entitling them to represent worker and employee interests in the field of labour and social security relations;

(c) Specific recognition of the right to strike in the Constitution and legal provision thereof in the Law on Settlement of Collective Labour Disputes.

Article 9

103. Bulgaria is not a party to the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102) or the subsequent Employment Injury Benefits Convention, 1964 (No. 121); the Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No. 128); the Medical Care and Sickness Benefits Convention, 1969 (No. 130); the Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168).

104. Listed below are the branches of social security existing in Bulgaria:

Medical care;

Cash sickness benefits;

Maternity benefits;

Old-age pensions;

Invalidity pensions;

Survivors' pensions;

Employment injury benefits and pensions;

Unemployment compensations and benefits;

Family benefits.

105. Social security in the Republic of Bulgaria can be grouped in three categories, described in the following paragraphs.

106. Short-term social security includes temporary disability and maternity benefits. The compulsory short-term payments cover:

(a) Workers and employees having employment contracts;

(b) Trainees during the period of apprenticeship and persons performing short-term services are covered only for employment-related injuries;

(c) Lawyers; persons on civil contracts who receive payment which exceeds one quarter of the minimum monthly wage or the minimum annual salary.

107. The costs of social security are covered by the employer or the person authorizing the civil contract, whereas lawyers bear all the cost for their social security. Businessmen, traders and dealers and private farmers (see below) may pay their own social security if they so desire.

108. Short-term social security provides for compensation for temporary disability owing to illness or employment-related injury, quarantine, removal from job on doctor's advice, compulsory maternity check-ups, nursing a sick family member, maternity (pregnancy, delivery, and infant care), parents of minors eligible for family benefits, lost wages in cases where persons with reduced work capacity have been relegated to lower-paying jobs, and orthopaedic aids. Short-term social security also covers free medical care in State medical institutions. The sizes of the compensations are as follows:

(a) 90 per cent of the wage in cases of employment-related injury or illness;

(b) 70 to 90 per cent of the wage in cases of general illness, quarantine, removal from job on doctor's advice, etc., depending on the length of service, age and length of temporary disability;

(c) 100 per cent of the gross wage during pregnancy and childbirth;

(d) The minimum nationwide wage for infant care;

(e) State-fixed family benefits depending on the number of children.

109. Long-term social security covers payments in proven cases of invalidity or presumed (old-age) disability, as well as in cases of loss of survivor's benefits because of death of the benefit recipient (survivor's pensions). Compulsory long-term insurance covers all the categories under the short-term insurance, as well as persons under article 1, paragraph 1, of the Regulation on social security of persons practising freelance professions or involved in trading, or without labour contracts (State Gazette No. 58 of 1992, amendments in Nos. 5 and 85 of 1993), such as businessmen owning a single company, traders, private farmers, members of cooperative unions, land-lease holders, persons employed without labour contracts in private health establishments, persons with freelance professions, persons performing services on the basis of subsequent legal registration, the spouse and the ascending kin of the employer and/or his/her spouse who are working in his/her company. These

persons are entitled to retirement pensions, invalidity pensions and survivor's pensions under the prevailing conditions. The respective social security charges are borne by them. Long-term social security pays retirement pensions and old-age pensions, invalidity pensions, survivor's pensions, civil invalidity pensions, military invalidity pensions and social pensions. Their amount is a percentage of the gross wage or fixed by the State, as is the case for social pensions. In the cases of retirement pensions and invalidity pensions, there is an additional allowance for each year of service over and above the minimum number of years required for retirement pensions; there is also an additional allowance for each year worked passed the minimum age for retirement. All pensions are, as a matter of principle, periodically adjusted in accordance with the rate of inflation in the country.

110. Unemployment social security covers unemployment compensation and benefits in cases where workers and employees have been forced out of their jobs. Unemployment social security for workers and employees is compulsory in cases where the employer has terminated the labour contract or when the contract has expired, and for young specialists and skilled workers who have been unable to secure jobs immediately after completing their education and professional training, or who have been mustered out of the military service. Unemployment compensation is paid:

(a) To persons who have lost their jobs because of labour contract termination. In such cases the compensation amounts to 60 per cent of the lost wage and no less than 90 per cent and no more than 140 per cent of the minimum wage. Unemployment compensation in such cases is paid for a period of 6 to 12 months depending on the length of service, age and sex;

(b) To young specialists and skilled workers in an amount of 80 per cent of the minimum wage, for a period of six months for young specialists and three months for young skilled workers;

(c) To persons who have lost their jobs because of labour contract termination, who have been engaged for half-time jobs with wages below the minimum wage. The amount of the unemployment benefit in such cases represents the difference between the obligatory unemployment compensation on the one hand, and the wage on the other hand. The amount is paid for the period for which unemployment compensation is due;

(d) To the long-term unemployed. This category includes persons registered as being unemployed for more than 12 months. They are entitled to unemployment benefits in an amount of 60 per cent of the minimum wage for a period of six months.

111. In addition to these categories there are other additional unemployment benefits given under certain conditions, such as monthly allowances for children, family benefits, benefits for enrolling in orientation and labour motivation courses, as well as for successful completion of professional qualification and retraining courses for the unemployed, organized by the labour offices. When unemployed persons entitled to monetary unemployment benefits take on half-time and lower-paid jobs during the period in which they are receiving unemployment benefits, the benefits are reduced by 50 per cent.

112. In winter, when heating is a priority, the unemployed are entitled to an additional benefit of 140 leva per month as compensation for increased electricity and heating bills.

113. The social security funds for the unemployed are raised by dues paid by employers who are outside the scope of the State budget, as well as by the State budget itself. Social security benefits for the period 1985-1994 were as follows:

Type of payment	1985	1989	1992	1994
Cash and monetary compensations for temporary disability (sickness, employment-related injuries, maternity)	277.4	303.8	1 775.2	3 759.8
Cash and monetary benefits for raising minors	162.9	301.0	1 325.6	2 731.2
One-time benefits for childbirth	23.1	21.5	15.1	147.9
Monthly child allowances	581.0	640.8	3 275.0	5 299.6
Unemployment compensation and benefits	-	-	1 381.1	2 927.0
Pensions				
* for complete required period of service, age and invalidity	2 397.6	2 750.4	17 424.3	45 737.3
* military invalids	12.9	14.6	47.4	108.0
* civilian invalids	0.6	0.7	3.3	8.0
* farmers' pensions	369.4	385.2	1 899.66	3 781.0
* pensions for craftsmen, traders and business and freelance professions	16.3	22.5	149.6	379.0
* social benefits	29.2	46.4	351.1	855.0

114. The average annual amount of a pension was 1,401 leva in 1989, 8,040 in 1992 and 20,547 in 1994.

115. Social security expenditures in the State budget and as a percentage of GNP for the last 10 years are as follows:

Indicator	1983			1994		
	Millions (leva)	% of GNP	% of State budget	Millions (leva)	% of GNP	% of State budget
Social security	2 849	9.6	17.1	67 732	27.7	12.5
State budget expenditure	16 663	X	100	244 312	X	100
GNP	29 815	100	X	543 474	100	X

The higher expenditures are the result of a rise in inflation on the one hand, and widening of the scope of persons covered by social security who until 1989 included only workers, employees, cooperative farmers, lawyers and freelancers, on the other hand.

116. State social security is still predominant in Bulgaria. Private social security is not yet regulated by law and has no practical significance. A number of private social security funds have been set up, but they have no normative basis and are not popular with the people. The creation of a normative basis for the development of private social security while maintaining the predominance of State social security is one of the objectives of the comprehensive social security legislation which is now being drafted in Bulgaria.

117. The Government has proposed that social security funds be separated from the State budget and placed under tripartite management. A bill on social security funds has been discussed by the social partners and subsequently submitted to Parliament. Similar principles also underlie the Professional Training and Unemployment Fund and the Medicare Fund.

118. No part of Bulgaria's population is excluded from the social security system, with the exception of persons enrolled in regular educational courses or those not working at all, either under labour contracts or independently. However, they are entitled to social security benefits in certain cases provided by the law. Women are entitled to the same rights of social security as men.

119. The last report of Bulgaria on the right to social security was submitted to the Economic and Social Council in 1984 (E/1984/7/Add.18). Since then important economic and political changes have occurred in the country which have had a great impact on the right to social security. Some of those changes are as follows:

(a) Widening the scope of persons entitled to social security. This was done by means of the Regulation with regard to persons with freelance professions, or engaged in trade, or those on temporary contracts;

(b) Introducing periodic adjustment of retirement benefits and pensions depending on the rate of inflation. This was put into effect by the law on amending the Pensions Law of 1992 (State Gazette No. 52 of 1992);

(c) Empowering the Regional Social Security Commissions to deal with social security disputes. This was done by amending the rules for implementing chapter III of the Labour Code of 1951 (State Gazette No. 59 of 1989) and the rules for implementing the Pensions Law of 1989 (State Gazette No. 59 of 1989).

120. International assistance in the legal and administrative implementation of the right to social security in Bulgaria is very useful under the new conditions of transition towards a market economy. Such assistance has been rendered mainly for the preparation of the White Book on Social Security in Bulgaria with the help of, among others, ILO, the Council of Europe, the Group of 24, UNDP, and the Governments of Belgium, Germany, Denmark and the United States, as well as assistance in conducting certain actuarial calculations. A project to train social security experts in the Social Security Department of the Ministry of Labour and Social Care has also been prepared. A seminar on social security problems, organized jointly by Bulgaria, the World Bank and the United States Department of Labour in 1993, was also very helpful.

Article 10

121. The Republic of Bulgaria is a party to the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women. It is also a party to the ILO Minimum Age Convention, 1973 (No. 138) and other ILO conventions on the protection of children and young people in employment, such as:

Night Work of Young Persons (Industry) Convention, 1919 (No. 6);

Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16);

Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77);

Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78);

Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 79);

Medical Examination of Young Persons (Underground Work), 1965 (No. 124).

122. Bulgaria periodically submits its reports on the implementation of the above-mentioned conventions to the ILO Committee of Experts. The latest one on the implementation of the International Covenant on Civil and Political Rights was submitted in 1993. A consolidated (second and third) periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women was submitted in 1994. Bulgaria's initial

report on the implementation of the Convention on the Rights of the Child (CRC/C/8/Add.29) was submitted in 1995. The present report contains only new information about legislative and administrative practice in the period following the submission of the above-mentioned reports.

123. In Bulgarian legislation the term "family" denotes spouses having contracted a civil marriage and their minor unmarried children.

124. Bulgarian citizens come of full legal age at 18, in accordance with article 2 of the Law on Persons and Families (State Gazette No. 182 of 1949). This is the general full legal age for all citizens at which they become fully responsible for their acts and assume the rights and duties under the Constitution and legislation.

125. There are exceptional cases where this age-limit is lower. At the age of 16 persons may be employed under labour contracts, manage themselves their remuneration, and may on their own participate in the discussion of labour disputes (art. 301 of the Labour Code in conjunction with art. 4, para. 2, of the Law on Persons and Families and art. 16, para. 3, of the Civil Procedure Code). In exceptional cases persons are allowed to marry at the age of 16 if there are important reasons for concluding the marriage and provided the president of the district court gives permission (art. 12 of the Family Code). In entering into marriage the under-age spouse assumes full legal status under the law, but may dispose of real estate only with the permission of the district court.

126. The ways and means of helping and protecting the family are described in the report of Bulgaria on the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (submitted in 1994), and the initial report of the Republic of Bulgaria on the implementation of the Convention on the Rights of the Child. These ways and means are based on article 14 of the Bulgarian Constitution, which states that: "The family, motherhood and childhood shall enjoy the protection of the State and society". In addition, they are included in article 47 of the Constitution which reads as follows:

> "(1) The raising and upbringing of children until they come of full legal age shall be a right and obligation of their parents and shall be assisted by the State.
>
> "(2) Mothers shall be the object of special protection of the part of the State and shall be guaranteed prenatal and post-natal leave, free obstetric care, alleviated working conditions and other social assistance.
>
> "(3) Children born out of wedlock shall enjoy equal rights with those born in wedlock.
>
> "(4) Abandoned children shall enjoy the protection of the State and society."

127. A man and a woman shall be free to enter into marriage, and this right is recognized and guaranteed by the Constitution and the Family Code. Under article 46, paragraph 1, of the Constitution, "Matrimony shall be a free union between a man and a woman." Under article 7 of the Family Code, "A marriage is concluded as a result of the mutual consent between a man and a woman given in person and simultaneously before an authorized civil marriages official."

128. A marriage concluded against the will of one of the spouses shall be null and void under article 96, paragraphs 1 and 2, of the Family Code which reads in part:

> "(1) A marriage is pronounced null and void when:
>
> "...
>
> "(2) If one of the parties entering the marriage has been coerced and threatened with grievous and imminent danger for his/her life, health or honour, and for those of his/her relatives."

129. In addition, the Penal Code provides in articles 177 and 178 for penal responsibility for persons violating the principle of free matrimonial union:

> "Article 177 (1) Whoever coerces anybody to enter into matrimony and as a result of it the marriage is pronounced null and void, shall be sentenced up to three years of imprisonment.
>
> "(2) Whoever abducts a female person with the aim of forcing her to enter into matrimony, shall be punished up to three years of imprisonment, or up to five years if that person is a minor."
>
> "Article 178 (1) A parent or a relative who receives a bribe to permit his daughter or relative to be married shall be punished by up to one year of imprisonment or a fine up to 10,000 leva, and by public censure.
>
> "(2) The same punishment shall be applied with respect to anyone who gives such a bribe or serves as a middleman in giving and receiving the bribe."

130. As stated above, the family in Bulgaria is under the protection of the State. State care in protecting the family, in particular the raising and bringing up of children, may be classified into several basic groups.

131. Legislative policies. These are the legal regulations for such care. In particular, reference is made to articles 14 and 47 of the Constitution which proclaim the protection of children and family by the State. In addition, the obligations of parents and the care of the State for raising and bringing up children are regulated in the Family Code, in particular:

"Article 2. The purposes of this Code are the protection and strengthening of the family, all-round protection of children and their upbringing, promoting mutual assistance, loyalty and respect between all the members of a family, and their education in a spirit of responsibility before family and society, in defence of the rights and interests of those under tuition and guardianship."

"Article 3. Family relations are settled in accordance with the following principles: protection of marriage and family by the society, equality between the man and the woman, the free union between a man and a woman in entering matrimony and the duration of this matrimony shall underlie family, all-round protection of children, equality of those born in wedlock and out of wedlock, as well as adopted children, respect for the individual, care and assistance between the members of a family."

"Article 4. The basic functions of a family are as follows: giving birth, raising and upbringing, ensuring possibilities for developing the capabilities of all family members, as well as ensuring conditions for them to fulfil their working and public obligations, creating relations within the family based on respect, attachment, friendship, joint efforts and mutual responsibility for promoting the family, taking care and assisting morally and materially the elderly, the sick and the disabled family members."

"Article 5. Society and State ensure conditions for the promotion of family, encourage birth rate, protect and sponsor motherhood, and assist parents in raising and upbringing of children. Society and State take care of preparing young people for matrimony and married life."

132. There is a special Decree on Encouraging the Birth Rate (1968), which was discussed in previous reports. It provides for society assisting in raising and bringing up children by one-time cash benefits in cases of birth, family benefits for children, special benefits for single parents, as well as for families where the parents are enrolled in regular forms of education and have small children, etc.

133. There are similar provisions in the Labour Code, the Law on Retirement, the Regulations on Social Assistance, and other normative acts. They provide for special prenatal delivery and post-natal leave, better conditions for retirement of mothers of many children, etc. All families are included in the scope of these measures in one way or another.

134. Economic measures. These include setting up and maintaining kindergartens (crèches, nurseries, orphanages, etc.). Listed below are some of these measures:

Number of woman and child consultations in medical and/or social centres

	1985	1989	1990	1991	1993
Total figures of:	2 425	2 580	2 617	2 664	2 727
Women's consultations	358	412	413	462	516
- only in villages	57	84	81	129	159
Child consultations	555	642	645	704	696
- only in villages	130	169	160	206	253
Mother and child consultations	1 512	1 526	1 559	1 498	1 515
- only in villages	1 464	1 489	1 517	1 463	1 477

Number of crèches and nurseries and Mother and Child Homes

	1985	1989	1990	1991	1993
Crèches and nurseries	1 127	1 075	1 060	981	886
- cities and towns	753	745	745	103	667
- villages	374	330	315	278	219
- infirmaries only	4	17	17	16	2
- run by ministries and enterprises	6	4	3	2	1
- Mother and Child Homes	32	31	31	31	31

Capacity of crèches and nurseries and Mother and Child Homes

	1985	1989	1990	1991	1993
Crèches and nurseries	66 170	43 443	41 495	38 295	32 339
- cities and towns	55 750	36 385	34 970	32 394	27 837
- villages	10 420	6 858	6 525	5 901	4 502
- infirmaries only	980	1 202	1 283	1 231	1 328
- run by ministries and enterprises	153	71	49	28	16
- Mother and Child Homes	6 140	6 135	6 115	6 115	6 001

Number of children in crèches and nurseries and in Mother and Child Homes

	1985	1989	1990	1991	1993
Total	56 061	44 213	41 786	32 103	29 539
Crèches and nurseries	51 399	40 183	37 983	28 470	25 827
Mother and Child Homes	4 662	4 030	3 803	3 633	3 712

Kindergartens

	1985	1990	1991	1992	1993	1994
Total number of kindergartens	5 054	4 590	4 465	4 429	3 856	3 659
On a permanent basis	4 968	4 579	4 458	4 420	3 846	3 658
Daily	3 619	3 688	3 576	3 491	3 247	3 109
Total number of children (in thousands)	360	304	259	263	247	247

Homes for children and adolescents

	1985	1989	1990	1991	1992	1993	1994
Homes	135	138	140	137	138	142	132
Number of children and adolescents	9 951	9 005	8 314	8 293	8 425	8 694	8 699

Source: Ministry of Education, Science and Technologies.

135. The measures aimed at coping with the shortcomings listed above include the following:

(a) The Committee on Sports, Youth and Children of the Council of Ministers was divided into two in 1995: the Committee on Youth and Children and the Committee on Sports. The Committee on Youth and Children is primarily responsible for making government policy on young people and children and drafting bills and programmes for the protection of children to be presented to the Council of Ministers;

(b) The Cabinet prepares drafts of new bills related to the protection of the rights of the child;

(c) More than 10 charity organizations, associations, societies and foundations have been registered and are now assisting children in disadvantaged social and physical conditions;

(d) Other measures which are analysed in more detail in the periodic reports of Bulgaria (1994) dealing with the prohibition of all forms of discrimination of women and of the protection of the rights of the child.

136. The protection of motherhood is guaranteed by the Constitution, the Family Code, the Labour Code, the Law on Pensions, the Regulation on Encouraging the Birth Rate, as well as other normative acts. Article 47, paragraph 2, of the Constitution reads as follows: "Mothers shall be the object of special protection on the part of the State and shall be guaranteed prenatal and post-natal leave, free obstetric care, alleviated working conditions and other social assistance."

137. The system embraces all women including biological mothers, adoptive mothers, mothers who have given birth to children out of wedlock, Bulgarian citizens of all ethnic origins (under certain conditions this also includes women who are not Bulgarian citizens but who have given birth to or adopted a child with Bulgarian citizenship while living in Bulgaria). The basic components of this type of protection are: free obstetric and medical care; prenatal, maternity and post-natal leave; financial assistance through the State social security system; alleviated conditions for retirement (with required years of service and age) of mothers of many children; special protection for working mothers (see art. 7).

138. Prenatal and post-natal leave as well as the upbringing of small children are regulated by the Labour Code. The duration of prenatal and maternity leave (art. 163 of the Labour Code) is determined by the number of previous children: it is 120 calendar days for the first child, 150 for the second, 180 for the third and 120 for each subsequent child; 45 days out of the total number are for prenatal leave. While on prenatal and maternity leave the mother is entitled to 100 per cent of her gross wage or salary as of the date of the beginning of the leave.

139. There are two kinds of leave for raising a small child. During paid leave (art. 164 of the Labour Code), the mother is entitled to compensation from the State social security in the amount of the minimum wage. The duration of such leave is until a child reaches the age of two. In the case of twins where one of them is the third child for the mother, the duration of the leave is until the twins reach the age of three. During unpaid leave (art. 165 of the Labour Code) the mother is entitled only to payment by the State geared to the rate of inflation. The duration of such leave is until a child reaches the age of three.

140. Leave for feeding an infant (art. 166 of the Labour Code) can be used by mothers who do not take leave for raising a small child. Such leave can be allowed until the infant reaches the age of eight months. The leave itself is confined to one to three hours daily, depending on the number of children (whether one child or twins). Its duration also depends on whether the infant is normal or premature and also on the number of working hours of the mother.

While on such leave the mother is entitled to her total gross salary, which shall be paid by the employer. If doctors recommend breast-feeding, the mother shall be entitled to an extended leave after the child reaches eight months, to be decided by the competent medical authorities.

141. Mothers of two or more living children up to the age of 18 years shall be entitled to leave for raising minors (art. 168 of the Labour Code). Its duration depends on the number of children: for two children it is two work days, for three and more, four work days. This type of leave shall be paid by the employer in the same way as the annual paid leave.

142. Leave for caring for a sick child (art. 40 of the Regulation on the application of chapter III of the Labour Code of 1951 - State Gazette No. 67 of 1973 and No. 6 of 1987) can be used by mothers of children under 16. Its duration is up to 60 calendar days for one calendar year. When the sick child is under nine years of age the mother shall receive compensation from the State social security equalling 100 per cent of her salary; if the child is above nine, the compensation is equal to the amount given in cases of temporary disability due to illness.

143. All leave connected with maternity are recognized as time of service. The law defines certain conditions under which the father of the child or one of the mother's or father's parents (grandmother or grandfather) can be entitled to such leave.

144. Mother's payments while on maternity leave are described in the preceding paragraphs.

145. Mothers are entitled to free obstetrical care (art. 47, para. 2, of the Constitution). Mothers are also entitled to free medical care, as are all Bulgarian citizens (art. 52, para. 1, of the Constitution).

146. The size of prenatal and post-natal leave and the payments while on such leave has been in force since 1973. Previous periodic reports on the implementation by Bulgaria of the International Covenant on Economic, Social and Cultural Rights have provided details about this matter.

147. As a matter of principle all mothers in Bulgaria shall be the object of special protection under article 47, paragraph 2, of the Constitution. This includes free obstetrical and medical care, one-time cash benefits for giving birth, compensations by the State in connection with the rate of inflation, better conditions for retirement for mothers of many children.

148. As far as prenatal or post-natal leave are concerned, only mothers working under labour contracts are entitled to them. Non-working women (who are not entitled to such leave) shall have the duration of prenatal, post-natal and infant care period count as years of service. In addition, mothers enrolled in the regular forms of education are entitled to special State scholarships and to larger children's allowances than those for working mothers. Women in freelance jobs and businesswomen are given the opportunity to buy voluntary social security, which is compulsory only for certain kinds of retirement.

149. The measures for the protection of children and youngsters, particularly against exploitation and unsuitable jobs, are guaranteed in the legislation. The Labour Code explicitly bans hiring persons under 16 (art. 301, para. 1, of the Labour Code). Sixteen is the general minimum age for a person to be hired since it is recognized in legislation that at this age Bulgarian citizens become able-bodied. There are only two exceptions:

(a) A lower minimum age:

(i) For persons between 15 and 16 years of age (art. 301, para. 2, of the Labour Code), who can be hired as an exception, provided the job is easy and not hazardous or heavy or detrimental to the health and to the moral development of the worker or employee;

(ii) For boys of 13 and girls of 14 (art. 301, para. 3, of the Labour Code) who can be hired as apprentices in circuses; and,

(iii) For youngsters under 15 (art. 301, para. 3 of the Labour Code) who can be hired to work in the field of the arts. The conditions of their labour is determined by a special Ordinance on hiring persons under 15 (State Gazette No. 8 of 1987 and amendments in No. 59 of 1993).

(b) A higher minimum age (art. 303 of the Labour Code) for certain heavy, hazardous and detrimental jobs for which only those who have reached 18 years of age can be hired.

Jobs which are prohibited for persons between 15 and 18 years of age are listed in Ordinance No. 4 of 1987 (State Gazette No. 44 of 1987, and amendments in No. 44 of 1993).

150. The minimum age for taking a job was examined earlier.

151. Since child labour is prohibited in Bulgaria (art. 301 of the Labour Code), this question does not need any consideration.

152. The number of children employed within their families, households, farms or stores owned by their parents cannot be assessed because the National Statistical Institute does not gather such information.

153. The protection of children and young people in Bulgaria covers all children and youngsters without any exception whatsoever. Moreover, certain groups which are socially disadvantaged such as orphans, the physically impaired, etc. receive special care. There are a number of important provisions in the Constitution to that effect:

"Article 47 (1) The raising and upbringing of children until they come of full legal age shall be a right and obligation of their parents and shall be assisted by the State.

...

(4) Abandoned children shall enjoy the protection of the State and society."

"Article 51 ...

(3) ... the physically and mentally handicapped shall enjoy the special protection of the State and society."

154. As far as some of the above-mentioned groups are concerned these are some of the valid provisions. Orphans can be adopted through a court procedure and in the interest of the child. There are orphanages where non-adopted children are being taken care of by the State until they reach full legal age. The State pays social benefits for their education and training and while doing their regular service in the armed forces. Orphans are entitled to survivor's pensions until they become of full legal age and in cases where they continue their education until they become 25 years of age. An SOS-Kinderdorf project has already been started. Unfortunately, there is no legislation resolving the problems related to paying the expenses for orphans in orphanages. The amount of the payments to cover expenses was fixed some 10 years ago. The free-market economy at present, however, demands larger amounts to cover the expenses for each orphan and for the maintenance of the orphanage as a whole, including their monthly adjustment according to the actual rate of inflation.

155. Young girls are entitled to the same protection as boys.

156. The measures applied with respect to children left without care by their relatives are described in the initial report of the Government of Bulgaria on the implementation of the Convention on the Rights of the Child of 1995, articles 6-20. The Family Code provides for limitations of parents' rights or abrogation of such rights.

157. Some of the more important protective measures with regard to physically and mentally handicapped children are the following:

(a) Free medical care in State health institutions;

(b) Free medication (for specific illnesses only);

(c) Maintaining special homes and schools for children with impaired hearing, eyesight, etc.;

(d) Better labour conditions and social security for mothers taking care of such children (e.g. not required to work overtime or night-shifts, getting social pensions on easier conditions, etc.);

(e) Granting social invalid pensions to children who at the age of 16 have congenital physical defects or have acquired a disability.

158. Specialized schools and number of pupils:

Types of special schools

	1985/86		1991/92		1993/94		1994/95	
	Schools/pupils							
Total	129	16 947	131	14 243	136	14 193	131	13 502
Schools for retarded children	85	12 303	87	10 306	83	9 579	78	9 157
Boarding schools	17	1 026	12	841	14	1 021	13	836
Pedagogical boarding schools	32	2 896	19	1 458	27	2 086	29	2 239
Schools for children with impaired hearing	4	858	4	764	4	721	5	689
Schools for children with impaired eyesight	2	277	2	317	2	312	2	308
Logopedic schools	6	611	7	485	6	474	4	273

Source: Ministry of Education, Science and Technologies.

159. The individuals listed in the above paragraph are informed about their rights mainly through the mass media. An important role in this respect is assigned to schools, social-legal consulting offices with the health institutions, social security offices with the municipalities, etc.

160. The difficulties and shortcomings were discussed in the initial report of Bulgaria on the implementation of the Convention on the Rights of the Child.

161. The previous report of Bulgaria on the rights proclaimed in article 10 of the Covenant, was submitted to the Economic and Social Council in 1987 (E/1986/4/Add.20). No significant changes have been introduced in legislation since then. The basic change with respect to the policies of implementing the respective legislation is related to the economic difficulties which the State has been experiencing in recent years leading to a reduction of the funds necessary for the exercise in practice of those rights.

162. International assistance in exercising the rights under article 10 of the Covenant was discussed in the report of Bulgaria (1994) on the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women and the report (1995) on the implementation of the Convention on the Rights of the Child.

Article 11

163. The right to adequate living standards is particularly important for the period of transition towards a market economy which Bulgaria is going through now. Liberalizing economic relations inevitably leads to reducing social security and living standards of the people. The indicators of the income and material status of Bulgarian citizens is demonstrating a rather steady tendency towards decline. The living standards of the people in recent years can be seen from the table below: 8/

Living standards and population impoverishment

Indicator	1990	1991	1992	1993	1994
Population with income less than:					
- social minimum	34%	57%	62%	67%	88%
- living standards minimum	-	-	38%	43%	67%
- 50% of the average income	8%	10%	19%	19.5%	

164. As a result of the economic and social changes in society there is a worsening of the living conditions for a sizeable part of the population, rather than a tendency of steady improvement. The increase of the nominal incomes of the population in the period December 1990-July 1994 notwithstanding (the minimum wage rose 11 times, basic minimum income 14 times, social benefits 11 times, average unemployment benefits 9 times), they were not enough to cover the rate of inflation. A particular drop occurred in wages and salaries which lost much of their purchasing power. Though wages and salaries nominally rose 550 per cent for the period 1990-1993, it barely covered half of the inflation rise for the same period. The real index in 1993 is 43 per cent. By the end of 1994 the working pay (wages and salaries) dropped by another 21 per cent as compared to 1993. The ratio between annual indices of nominal incomes and inflation rates is 1.6-1.9. 9/

165. If taken on a regional basis, the situation in 67 municipalities, covering 20 per cent of the country's territory with 10 per cent of the total population, is critical. Nearly half of them are situated in mountainous regions, while the rest are mainly agricultural. The bigger and comparatively economically more viable municipalities are "on the verge of a critical situation".

166. The latest report of Bulgaria on the implementation of the rights proclaimed in article 11 of the Covenant was submitted to the Economic and Social Council in 1987 (see art. 10). Since then important economic, social and political changes have occurred in the country, which have been mentioned a number of times earlier and which underlie the rest of the explanations in the report on article 11.

167. Since the National Statistical Institute does not collect specific statistics, no data can be provided about the situation of the poorest 40 per cent of the population. There is no "poverty line" officially established in Bulgaria. Such a line can be roughly taken as the basic minimum income needed for receiving social benefits. It was introduced in 1991. It determines the minimum amount of money necessary for the people to keep on living. The basic minimum income applies to all ages and social and ethnic groups of the population. It varies according to the age and number of persons in a family. All persons having a monthly income less than the basic minimum one are entitled to social benefits from the State. The absolute amount of the basic minimum income is adjusted periodically (in the sense of being increased).

168. The social and living standards minimums can also be used to illustrate the degree of impoverishment. They are being calculated using the so-called consumer's basket, which includes 497 items for the social minimum and 746 items for the living standards minimum. The above table shows the situation. A new methodology is now being worked out by the Ministry of Labour and Social Care the aim of which will be to recalculate and adjust the social and living standards minimums in accordance with the rate of inflation and the changing income structure of the population.

169. The right to adequate food, just like the rest of the components of the right to adequate living standards, is being considerably affected by the general changes which characterize the period of transition towards a market-economy. Though this right has been, generally speaking, exercised and implemented in the country, there is an alarming tendency in recent years which shows that around 20 per cent of the population spends more than half of their income on food.

170. General expenditures of households by the number of persons employed for 1994:

Expenditure (in leva)	Total	Number of employed household members			Non-employed
		1	2	3 and more	
			Average per person		
Total	34 455	31 567	38 000	38 852	30 260
Total expenditure	31 743	29 281	34 353	35 089	28 974
Food	14 295	13 202	13 861	13 629	16 404

Household general income structure

(Broken down by group expenditures)

Group expenditures (in percentage)	1990	1991	1992	1993	1994
Total	100 0	100.0	100.0	100.0	100.0
Food	36.3	47.4	43.4	42.9	45.0

171. Data on nutrition supplied by the National Hygiene, Medical Ecology and Nutrition Centre shows that nutrition is not adequate. The Bulgarian diet contains a high percentage of animal and vegetable fat, carbohydrates and salt and insufficient consumption of vegetables and fruits, and lacks sufficient proteins, minerals and vitamins.

172. Studies on nutrition in Bulgaria began in 1959. They include the following:

(a) Monitoring the consumption of foodstuffs and expenditure on food in 2,500 families embracing all social strata;

(b) Periodic survey of foodstuffs status and illnesses related to the nutrition of the population in different areas, risk groups, and basic social and occupational groups;

(c) Tests of the contents of heavy metals in foodstuffs in regions of intensively developed industries. Since 1981 the National Chemical Pollutants Monitoring has studied nitrates in vegetables and children's food and evaluated real nitrate and heavy metal absorption by children;

(d) Control over the biological safety of foodstuffs by means of standard methods of microbiological analysis.

These surveys are carried out by the National Hygiene, Medical Ecology and Nutrition Centre and the National Health Prophylactics Centre with the participation of experts of the Bulgarian Academy of Sciences, the Ministry of Industries and the Ministry of Agriculture.

173. There is no famine in Bulgaria, but there is undernourishment, concerning in particular certain basic foodstuffs, as can be seen by the following table:

Basic foodstuff consumption of households

(average per capita)

Products	Measurement	1985	1990	1994
Meat	kg	32.3	36.5	25.8
Fish	kg	3.8	2.6	3.3
Fresh milk	lt	49.7	55.7	38.9
Dairy	kg	14.3	15.2	12.6
Fruits	kg	33.9	32.2	22.3
Vegetables	kg	59.5	61.1	62.7
Beans	kg	3.1	3.1	3.5

174. The situation of especially vulnerable and disadvantaged groups (landless peasants, marginalized peasants, rural workers, rural unemployed, urban unemployed, urban poor, migrant workers, indigenous workers, children, elderly) are not included in the statistics gathered by the National Statistical Institute.

175. There are no significant differences in the nourishment between men and women in Bulgaria.

176. Over the past five years the important political, economic and social changes occurring in Bulgaria have inevitably left their imprint on the nourishment of the population. In particular:

(a) Organizational problems in connection with the carrying out of the land reform and disrupting the natural rhythm of the production process in agriculture have led to a decrease in the production of animal and vegetable foodstuffs;

(b) Liberalizing food prices and restrictive policies with respect to incomes;

(c) A serious increase in the number of people eating at canteens as a result of less subsidies, sharp food price rises and a lower standard of living of the population;

(d) Lack of an effective economic system to guarantee the microbiological purity of certain animal and vegetable raw materials such as milk, cereals, etc.;

(e) Insufficiently effective system to register and diagnose nutritional bacterial diseases;

(f) Insufficient organization and insufficient material and technical basis and personnel to exercise laboratory control over biological constants in the sphere of health care.

177. A National Food and Nutrition Policy Project was prepared in 1992. It was prompted by the first European conference on food policies (Budapest, 1990) and the International Conference on Nutrition (Rome, 1992). The Project was discussed at a national seminar held by the Ministry of Health and the National Hygiene, Medical Ecology and Nutrition Centre. The Project is about to be discussed by the Cabinet. Some of its individual elements have already been implemented or are in the process of being implemented, in particular:

(a) Decree No. 36 of the Council of Ministers was adopted in 1994, setting out measures to prevent and eliminate iodine-deficiency diseases and disorders (State Gazette No. 43 of 1994). This decree made it possible to ensure adequate finances for a general prophylaxis of the population, livestock, and in foodstuff industries by using iodized-calcium salt. Additional supplies of iodine tablets were secured for the risk groups in endemic regions such as children, pregnant women, breastfeeding mothers;

(b) A large number of national standards for foodstuffs, hygienic norms and requirements have been brought into conformity with the relevant recommendations of the Codex Alimentarius, the ECE, FAO and WHO;

(c) A bill on foodstuffs has already been drafted and is slated for consideration by the Council of Ministers;

(d) A Unified National Foodstuffs Control System was prepared with the aim of controlling the safety and quality of foodstuffs. This draft is also aimed at doing away with redundant control units and at creating an effective mechanism with a view to ensuring the quality and safety of the foodstuffs produced in Bulgaria and those imported from other countries by adapting and using the internationally recognized System for Control of Harmful Substances at Critical Points of the Production Process. Negotiations are being held with the World Bank to finance the system.

178. With a view to improving the nutritional status of the population, a draft has been prepared on the establishment of a National Monitoring System of Nutrition and the Nutritional Status of the Population in Bulgaria. The purpose is to ensure regular, up-to-date and reliable information on identifying nutritional problems, risk groups, and the scale and spread of nutrition-related health problems. The draft has already been approved for financing by the World Bank.

179. There is also a Health Nutrition Information and Training Programme of the Population in Bulgaria. It includes priority nutrition problems and is aimed at the risk groups, such as children and adolescents, pregnant women, breastfeeding mothers, the elderly, etc. At present the Programme includes the following:

(a) Setting up a network of health schools (72 throughout the country, 10 for the capital city) which will concentrate on a healthy way of life, including nutrition. The Programme is being financed by the Council of Europe and the World Bank;

(b) Setting up a project for a National Network of Health Nutrition Education Centres, with annual courses for school medical doctors and nurses and other medical personnel entrusted with prophylaxis of nutrition-related diseases;

(c) Recommendations for healthy nutrition of the population in Bulgaria, based on updated physiological nutritional standards (1994), have been prepared and will be published shortly;

(d) The national table on the chemical composition of the Bulgarian foodstuffs (1975) was updated in 1994;

(e) A national monitoring system for chemical pollutants in foodstuffs such as nitrates, pesticides and heavy metals is being set up.

180. Measures to introduce methods of production, preservation and distribution of food making full use of the achievements of scientific and technological progress are translated into financial incentives; relevant technologies are either imported or developed domestically.

181. Lack of knowledge about irrational nutrition and non-observance of its principles are among the basic reasons for the present state of affairs in Bulgaria. This is due to the following:

(a) Lack of information within the population and lack of knowledge about foodstuffs and health nutrition;

(b) Lack of a system of education of children and adolescents in health nutrition;

(c) Insufficient number of qualified nutrition specialists and lack of specialized university education in nutrition;

(d) Lack of or insufficient education and training in diseases directly or indirectly connected with nutrition, in college and/or university subjects such as agronomy, veterinary medicine, medicine, etc.

182. A number of measures are aimed at overcoming these difficulties, in particular the Health Nutrition Information and Training Programme of the population in Bulgaria, the setting up of health schools and the National Network of Health Nutrition Education Centres.

183. The need to study the characteristics and tendencies in nutrition and to analyse and assess the nutritional and health status of the Bulgarian population, the safety standards of foodstuffs and the problems of producing, processing and marketing foodstuffs prompted a number of initiatives aimed at organizing the self-sufficiency of the population. Some of them are as follows:

(a) Since 1973, 130,000 tracts of land have been given to workers and employees for their personal use in order to improve food supplies;

(b) Farms have been set up and attached to various factories and companies to cater for employee and worker canteens;

(c) Unfortunately, the current general economic crisis in Bulgaria and their lower incomes of the population in particular, together with a decrease in production and related cuts in social security benefits, restitution of land to original owners leading to a collapse of agriculture, as well as other factors, have foiled these initiatives over the past five years, although prior to that they had been regulated by decrees of the Council of Ministers and introduced into practice;

(d) As far as the agrarian system and its use for ensuring the right to adequate food is concerned, it has been hindered in recent years as a result of reforms in agriculture (restitution of cooperative land to former owners).

184. The initiatives mentioned above which are related to the use of agricultural and other resources for ensuring the food requirements of the population have been regulated by decrees of the Council of Ministers. An important new step in this direction was the Law on Ownership and Use of Agricultural Lands, adopted in 1991 (State Gazette No. 17 of 1991). While the Law legalized the restitution of agricultural land to the original owners, it also provided for the use of such land for meeting both the food requirements of the population as a whole and the individual needs of landowners and farmers.

185. Credit facilities for the development of agricultural production, training farmers, etc. have assisted the introduction of legal measures taken by the Government, with the aim of the rational use of the agricultural system.

186. The following tables describe the situation with respect to the right to housing in Bulgaria:

Year	Total number of houses	Houses per 1 000 persons	Average number of persons per housing unit	Housing area per person a/ (in m^2)
1983	3 035 404	339	2.9	15.8
1988	3 325 603	370	2.7	17.7
1993	3 406 152	401	2.5	20.0
1994	3 414 079	402	2.5	16.7

a/ The housing area includes the area of living rooms, bedrooms, dining areas, sitting rooms, studies and libraries for persons doing scientific research, guest rooms, halls, kitchens and summer kitchens of more than 4 m^2. Since 1992 the living area does not include kitchen areas.

Housing	1985	1989	1990	1991	1994
			Total		
Housing units (in 1 000s)	3 152	3 363	3 387	3 406	3 414
Useful area (in 1 000 m^2)	176 709	197 480	199 217	200 538	217 070
Central heating	392 860	510 257	527 953	542 012	585 203
			In towns and cities		
Housing units (in 1 000s)	1 906	2 103	2 123	2 138	2 142
Useful area (in 1 000 m^2)	107 656	119 333	120 776	121 783	134 567
- including living space a/	88 879	96 321	97 384	98 125	83 346
			In villages		
Housing units (in 1 000s)	1 206	1 260	1 264	1 268	1 272
Useful area (in 1 000 m^2)	69 053	78 147	78 442	78 755	82 503
- including living space	58 495	64 806	65 030	65 277	58 101

a/ The lower number is due to kitchens being excluded from the total living area.

187. Vulnerable groups in respect of housing are large families, young families, and those living in the cities. Their situation is described in the information contained below.

188. Information about homeless persons and families in Bulgaria is not available as no such statistics are collected. If the term "homeless" means persons having no accommodation or shelter, there are no such persons in the country. Potential homelessness may be interpreted to mean individuals living in overcrowded conditions (three or more persons in a room), in primitive housing units or in condemned buildings. The number of individuals characterized as potentially homeless was around 300,000 in 1994. Following is a table providing information about housing ownership:

Persons living in their own houses, apartments, etc.

	Total	Owners
Total number of persons	8 390 245	7 710 110
In cities	5 634 384	5 037 266
In villages	2 755 861	2 672 855

Source: Ministry of Territorial Development and Construction.

Those citizens who do not own housing units live in rented ones, with relatives or in nursing homes for the elderly, etc.

189. The number ofcentrally heated housing units in 1994 is given in the following table:

Central heated housing units at end 1994		
District	Total Units	Centrally heated units
Total (the whole country)	586 087	16 486
City of Sofia	342 576	5 744
Bourgas District	42 866	2 232
Varna District	29 879	1 690
Lovetch District	54 006	2 957
Montana District	18 202	66
Plovdiv District	53 815	1 913
Rousse District	19 556	1 229
Sofia District	23 721	622
Haskovo District	1 466	33

The rest of the housing units which are not centrally heated provide their own individual heating by burning coal, wood or gas or using electricity.

190. A total of 272 settlements were provided with sewerage and water-piping by the end of 1994 with a total length of 7,427 km; 4,516 settlements were provided with water by installing 44,700 km of water-pipes. There are 3,104 post offices, 460 postal agencies and 2,099,000 telephones in the country. There are 1,570,300 radio subscribers, and 1,482,600 TV subscribers.

191. No statistics are available in the Republic of Bulgaria at present with respect to "illegal" housing units and individuals living in them.

192. In the past five years a very small number of persons have been evicted, because after 1990 this could be done only in cases where the needs of the State could not be met otherwise, and real estate property can be expropriated by the Government only if the owner has been duly compensated. In fact, there have been no such cases since 1990.

193. The number of individuals whose housing expenses are above the Government-set limits of affordability is not provided in the statistics of the National Statistical Institute. The standard of living, set by the State as a basis for paying social benefits, it cannot be a reliable indicator because it also includes individuals having their own houses and apartments while having no other material means of subsistence. Individuals and families who are paying housing loans or rent are entitled to a monthly social benefit

if the income of the individual or of the family goes below the State-set minimum after paying the housing loan instalment. A total of 117,000 applications for such monthly social benefits were filed in 1994. 10/

194. The number of persons on waiting lists for obtaining accommodation was 328,606 at the end 1993 (as per local municipal registration). The rate of housing construction in the last three to four years means that those on the waiting list for obtaining State-built accommodation will get it after 25 or 30 years. The following table shows the number of new housing units built by the State:

Distributed newly-built State housing					
	1985	1989	1990	1991	1994
Distributed	28 448	21 016	9 641	7 431	2 014
One bedroom	4 533	2 966	940	610	188
Two bedrooms	13 638	9 473	4 645	2 356	842
Three bedrooms	9 331	7 594	3 553	1 686	935
Four-plus bedrooms	946	983	503	79	49
Registered households on waiting lists	307 941	359 410	346 370	334 379	41 991
Distributed accommodation per 100 registered households	9.2	5.8	2.8	1.4	4.8

195. The number of different types of housing is as follows:

Types of housing according to forms of ownership		
Types	Number	
	31 December 1993	31 December 1994
State (municipal) housing	129 433	130 957
Built by ministries, departments, enterprises	103 323	106 964
Cooperative housing	9 175	11 669
Private housing	3 164 221	3 164 489

Information about the number of private housing was given above. No statistics are available about the number of rented private housing.

196. The right to housing has been extensively developed in Bulgarian legislation. Following the Second World War it has been further developed at various stages, which is the reason why in a number of cases it fails to correspond to the new social realities, and therefore needs to be amended. A lot has already been done in this respect.

197. There is no legal definition of the content of the right to housing in the legislation. Such a right and some elements of its content are derived from different legal norms dealing with the ownership and use of housing. They shall be described further on. Of particular importance is the guarantee of the right to housing. The existence of such a right is further enhanced by the prohibition on enforced court-ordered eviction, etc. if the housing in question is the only one owned by the debtor. It is included in article 339, paragraph b, point (c), of the Civil Procedure Code which reads: "Court orders cannot be enacted in respect of the personal effects and property of the debtor in the following cases:... c. The housing of the debtor, if he/she and none of his/her family members living together have no other housing, irrespective of the fact whether the debtor himself/herself lives in it."

198. Special attention is given to individuals with impaired health who are particularly in need of housing. They are covered in this respect by Order RD-09-808 of the Minister of Public Health of 1983, related to diseases entitling such an individual to a room all to himself/herself for living (State Gazette No. 65 of 1983). Article 288, paragraph 2 of the Civil Procedure Code proclaims the right of a co-inheritor in need of housing to receive it in cases where an undividable housing unit has several different co-inheritors. The article reads as follows: "If an undividable real estate constitutes a living accommodation and one of the co-inheritors and his or her spouse are not in possession of their own living accommodation, the court, acting on the request of the co-inheritor, places the accommodation in his/her share and compensates the shares of the other co-inheritors with other real estates. If such a compensation is impossible, then the court orders the co-inheritor to pay the other co-inheritors for the real value of their shares of the real estate."

199. The definition of the term "housing" is contained in article 93, paragraph 1, of Ordinance No. 5 of 1995, which reads as follows: "A housing is designed as a group of premises and covered and open space, united territorially and functionally, with the aim of satisfying the housing needs of a certain number of residents." According to article 93, paragraph 3, of the above Ordinance: "Every living accommodation shall have at least one bedroom, one kitchen or a kitchen-box, one bathroom/sanitation, and at least one built-in wardrobe/closet and one outside storage room (within the main building)."

200. The basic normative acts dealing with the right to housing are the following: the Housing Rent Law of 1973, mentioned in previous periodic reports; the Law on Restitution of Private Ownership of expropriated/confiscated housing properties of 1992 (State Gazette No. 15, 1992), which restored the ownership of housing properties confiscated from the owners; the Ordinance on providing municipal housing to individuals (State Gazette No. 1, of 1994), which regulates the procedure for giving individuals State-owned housing for their housing needs; Order RD-09-808 of 1983,

mentioned above, as well as article 288, paragraph 2, of the Civil Procedure Code. There is no special legislation such as homeless persons acts, municipal corporations acts, etc. There is a Law on Cooperatively Built Houses, which regulates the right of citizens to build jointly housing units with their own money.

201. Legislation relevant to land use, land distribution, land zoning, land-use planning, etc. is contained in the Law on Territorial and Urban/Rural Development of 1972, including its numerous amendments, as well as in article 1 of Ordinance No. 5 of 1992 of the Ministry of Territorial Development and Construction setting out rules and norms of urban and territorial development (State Gazette No. 48 of 1995). The Ordinance defines land distribution, land zoning, land-use planning, etc. within the boundaries of settlements. It also regulates the use of territories, development projects, subdistricts and plots, the density and intensity of housing, etc. The use of rural land for housing is regulated by Ordinance No. 2 of the Minister of Territorial Development and Construction and the Minister of Agriculture (1993), setting out procedures for building housing on rural land; this is allowed only for satisfying the housing needs of the land-owner or the individual using the land.

202. The rights of tenants are provided in the Law on Obligations and Contracts (1951), the Housing Rent Law (1973), and article 415, paragraphs 4 and 5 of the Civil Procedure Code. By guaranteeing the right of lessors (owners) to use their own housing units or other space as they deem necessary, which corresponds most of all to their personal interests, the law also guarantees the rights of tenants. Some of these guarantees are as follows:

(a) Law on Obligations and Contracts (1951):

Article 236 (1) - "In cases when a Lease expires but the use of the premises continues with or without the knowledge of the Lesser, the Lease shall be considered extended for an undetermined period."

Article 237 (1) - "When a real estate property changes ownership the Lease remains in force with respect to the new owner if he/she figures in it."

Article 237 (3) - "The Lessor shall pay indemnity to the Lessee if the latter is deprived of the use of the rented property before the date of expiration of the Lease for reasons of change of property ownership."

Article 238 - "If the Lease is without a fixed period, each of the parties may renounce it by notifying the other party one month in advance. In cases when the rent is payable per day, then there shall be one day advance notification."

(b) Civil Procedure Code:

Article 415 (4) - "Decisions for vacating living accommodations based on article 238 of the Law on Obligations and Contracts, in cases when the Lesser's housing needs have been satisfied according to the norms established by article 6 of the Housing Rent Law, shall be executed after the Lessee is

given another accommodation or a house within the boundaries of the respective settlement, which is not occupied, ready for permanent use and corresponds to the number of rooms of the rented housing unit. When the number of rooms in the new housing unit is bigger than the housing need of the Lessee as in article 5 of the Housing Rent Law, then it suffices only to provide a housing unit conforming to the norms."

203. As far as financing of housing accommodation and rent control are concerned, these are regulated in the Rent Rates of housing accommodation, premises and places for business and administrative needs (1973), and numerous amendments to it, the latest being of 1993; the Regulation of Social Assistance, etc. Individuals paying house-loan instalments or rents in accordance with the Housing Rent Law shall be entitled to a monthly social benefit provided their income is below the limit established by the State for a minimum differentiated standard of living, after the instalment or the rent has been paid. There is no other rent control by the State but through taxes; rents are freely contracted.

204. Housing construction standards and regulations on infrastructure are established in Ordinance No. 5 of 1995. The latter regulates the purposes for the use of various kinds of buildings (housing, production, mixed or villa), type of construction, borderlines of building sites, kind of building (one-storey, several-storey or many-storey buildings), height of buildings, situation of buildings and distances between them, building ledges. There is a special chapter XV, which deals with houses and apartment buildings which must conform to the Bulgarian State Standard.

205. Bulgarian legislation does not contain a specific provision dealing with prohibition of discrimination in the housing sector. The provision of article 6, paragraph 2, of the Constitution is generally applicable.

206. Legal norms on expropriation of real estate properties are set out in article 101 of the Law on Ownership of Property, as well as article 63 of the Law on Territorial and Urban/Rural Structure. They are predicated on several important provisions of article 17 of the Constitution:

> "Article 17 (1) The right to property and inheritance shall be guaranteed and protected by law.
>
> "...
>
> "(3) Private property shall be inviolable.
>
> "...
>
> "(5) Forcible eviction of property in the name of State or municipal needs shall be effected only by virtue of a law, provided that these needs cannot be met otherwise, and after fair compensation has been ensured in advance."

207. Expropriation of real estate, including housing property, shall be allowed only in cases covering certain needs defined by the Law on Ownership of Property and the Law on Territorial and Urban/Rural Structure.

Expropriation is effected under a strictly established procedure. An expropriation act may be appealed in a district court. A property can be expropriated only after the owner has been duly compensated. If within a year of eviction from a property its owner has not been compensated, the expropriation act shall be repealed and a new assessment of the property shall be carried out.

208. The legal basis for the housing reform is contained in the legal acts mentioned above which regulate different aspects of the content of the right to housing. These normative acts define the market-economy principle as the fundamental one in this respect.

209. Speculation on housing or property, particularly when such speculation has a negative impact on the fulfilment of housing rights for all sectors of society, is not a subject of special legislation in Bulgaria at present. Controls on the use of real estate property is exercised only by means of taxes.

210. Bulgarian legislation does not provide any special measures with respect to "illegal" housing.

211. Environmental and health planning of houses, buildings and premises, are regulated by the Law on Protection of the Environment, the Law on Territorial and Urban/Rural Structure, as well as Ordinance No. 5 of 1995, mentioned above, and the Bulgarian State Standard.

212. The legislative and executive branches in the Republic of Bulgaria are taking a number of measures to fulfil the right to housing.

213. Bulgarian legislation does not contain legal obstacles to participation in building housing and related infrastructure by various actors in the housing market. In the past three years the legislative and executive branches have adopted a number of decisions removing certain restrictions, in particular related to:

(a) The right to own property - number of rooms and size of housing unit, owned by one individual or one family; domicile of citizens and location of real estate properties owned by them, etc.;

(b) Fixing real estate property prices on the date of sale;

(c) Fixing rent rates.

214. At present municipalities are focusing their attention on resolving the housing problems of low-income families with proven housing needs, and on citizens with specific needs such as the ill, large families, etc. Municipalities construct housing units on municipal plots using funds from the Housing Construction Municipal Fund. Enterprises can build housing units to satisfy the accommodation needs of their workers and employees by using the funds of the future owners. Private building contractors are free to build housing on private plots without receiving government subsidies.

215. To date there are no specialized non-profit organizations to build houses like the voluntary housing associations in some European States. Foreign experience is now being studied.

216. Serious changes in the national housing policy have occurred since 1990. The existing system of housing distribution by the State, which was characterized by its passive nature, is being replaced with a normal market economy. State assistance for building housing is now simply symbolic, because of existing unfavourable economic conditions (State subsidies for the housing sector have been all but discontinued; a large part of the population is experiencing seriously diminished solvency; high interest rates on loans for purchasing or building, etc.).

217. Measures to improve unurbanized and unutilized houses are aimed at bringing urban planning into conformity with the amended legislation and with the necessary changes following the restitution of the ownership of expropriated real estate properties. These measures constitute the first phase of a comprehensive reform of territorial and urban rural structure. The principles of this reform are set out in detail in a bill on territorial arrangement.

218. Between 1992 and 1994 no subsidies were earmarked for house building investments in the Law on the State Budget. The law regulating the housing problems of citizens who opened bank accounts for house purchasing, many years ago, provides for subsidies to be paid to the National Compensation Fund in an amount of no less than 1 per cent of the State subsidy. The Fund is being used to compensate holders of the bank accounts mentioned above, through indexation to the national currency as at 31 December 1990, for their accrued savings. In addition to the Fund, 0.5 per cent of the State budget is earmarked to cover the differences in the prices of houses expropriated from their owners for State needs, for reconstructing houses destroyed by natural disasters, etc. These funds are distributed by the Ministry of Finance. The Ministry of Territorial Development and Construction does not receive any budgetary funds for the housing sector.

219. As yet Bulgaria has received no foreign financial assistance for housing construction investments.

220. The policy of encouraging the development of small and medium-size urban centres in Bulgaria is based on article 20 of the Constitution which provides that: "The State shall establish conditions conducive to the balanced development of the different regions of the country, and shall assist the territorial bodies and activities through its financial, credit and investment policies." The following has been done in this respect:

(a) A study has been carried out on the socio-economic situation of all 252 municipalities; 67 have been found to be below the critical level of development. This study has proved the need for a government action-oriented policy to promote their development. A draft act of Cabinet has been prepared with the aim of helping the development of these municipalities and their centres which primarily are small towns;

(b) A bill has been drafted to encourage mountain-region development, where about 28 per cent of the population is concentrated. It provides for funds to encourage economic activities in these regions, measures to reduce socio-economic differences between mountain settlements and those on the plains, institutionalized structures for mountain-region administration, etc.;

(c) A National Mid-Term Programme on Transborder Cooperation with the Republic of Greece within the PHARE programme is under way. The Cabinet approved this programme by adopting Decision No. 158 of 25 April 1994. The programme contains a number of measures aimed at encouraging the development of small and medium-size towns in the border region.

221. With the amendments to the Law on Ownership of Property and the Law on Territorial and Urban/Rural Structure (1990), expropriation of private properties has been limited in scope, and there are now better guarantees for owners of expropriated properties. Properties of citizens, cooperatives and public organizations can be expropriated for the needs of the State only in cases where there is no other way of meeting these needs. Expropriation can be carried out only after due compensation. New bills envisage even wider guarantees.

222. There have been very serious changes since 1990 in the national policy affecting the right to housing. The fundamental problems and main restrictions which had a negative impact on the right to adequate housing are the following:

(a) Discontinuation of State subsidies for housing;

(b) Sharply reduced solvency of the greater part of the population, and a sharp rise in housing prices;

(c) A high interest rate on house loans;

(d) Limited possibilities for obtaining municipal land and funds for building houses to be rented to low-income families;

(e) Difficulties caused by the housing distribution system which was in effect until recently.

223. Exercise of the right to housing is being hampered at present because of the impact of macroeconomic conditions in Bulgaria. There is a symbolic State subsidy for housing under the present normal market economy conditions. Under these conditions the view is gaining ground that the State must increase its commitments with respect to the housing sector; that housing must become a priority of the Government and made attractive to investors, bearing in mind that housing construction will have a multiple beneficial effect on general economic development. The Cabinet is about to discuss a document entitled "Fundamentals of State Housing Policy", which has been prepared by the Ministry of Territorial Development and Construction.

224. The basic problems in the fulfilment of the rights enshrined in article 11 are set out in the preceding paragraphs. In addition to the measures mentioned above there are some others as well.

225. The right to an adequate standard of living. One of the basic objectives in the near future is related to the efforts to slow down the impoverishment of the population. This priority must also include the problems of monitoring poverty and reforming legislation on social benefits, as well as practical objectives. Anti-inflation protection must be developed hand in hand with minimum incomes. There is a reorientation of the social security system aimed at expanding employment possibilities by developing workers' potential. The Government also intends to submit to Parliament a bill on raising taxes on a number of social expenditures of enterprises.

226. The right to adequate food. As far as the right to adequate food is concerned, it has been pointed out that the problem in Bulgaria is not so much one of malnutrition but of irrational nourishment. For this reason of great importance is the introduction of a nutrition programme alongside financial measures to reduce food prices. This programme shall include in particular:

(a) Changing the curricula in schools to include lessons and training on food preparation, eating habits and diet regimes;

(b) Food and foodstuff advertisements shall include information about their components (including vitamins and microelements), preparation, expiry date and instructions for storage;

(c) Organizing food distribution to certain categories of the population, such as the elderly, the unemployed, etc. There are three programmes in this regard:

(i) Food to people materially hard-pressed, to be provided by the Ministry of Labour and Social Care;

(ii) Additional food to pregnant women, nursing mothers and small children, to be provided by the Ministry of Health;

(iii) Rational and diet meals at school, college and university canteens, to be organized by the Ministry of Education, Sciences and Technology.

227. The right to adequate housing. Additional measures in this sphere are:

(a) Experimenting with various ways and means of granting house loans by introducing new mechanisms to complement the conventional one of fixed interest rates and evenly spaced instalments;

(b) Changing rent rates for municipal housing and apartments provided by ministries and departments, so as to take into account obligatory expenses for redeeming invested funds and for home care and maintenance;

(c) Experimenting with a system of paying housing allowances to low-income families to help them pay their rents;

(d) Setting up a mechanism of State assistance to the housing sector.

228. Bulgaria has received foreign technical assistance in implementing projects for the right to adequate food and the right to adequate housing. This has included joint projects, consultations, personnel training, providing information, etc. Contacts are being maintained with WHO, FAO, UNCHS (Habitat), UN/ECE, the United Kingdom "Know-How Fund", housing ministries in Austria, Germany, Denmark and elsewhere. The role of international assistance should be assessed positively. This assessment can be justified through the content of the statement on article 11 of the Covenant.

Article 12

229. The life and health of the citizens of Bulgaria are among the basic values of society. Health care and protection is a basic right enshrined in article 52, paragraph 3, of the Constitution, which reads in part: "The State shall protect the health of citizens...." There are 5 medical universities, 14 national health centres, 286 hospitals and 3,726 out-patient hospitals, 843 kindergartens and mother and child homes, 160 sanatoriums and 105 other local health centres. Private medical and dental offices are rapidly increasing in number (in 1994 there were 9,424 medical doctors with private offices, 4,556 dentists, and 1,265 other medical practitioners with vocational and pre-university degrees).

230. Medical prophylaxis is built on several levels with each higher level having more medical, diagnostic and therapeutic services.

231. There are 88,251 hospital beds (105 beds per 10,000 persons), 18,950 in sanatoriums (23 beds per 10,000 persons) in the country. Kindergartens and mother and child homes can house 36,169 children, with the proportion of children up to three years of age in nurseries being 122.3 per 1,000 children.

232. Bulgaria's medical personnel constitutes a sizable potential. In 1994 there were 28,094 medical doctors (33.3 per 10,000), 5,540 dentists (6.6 per 10,000), 2,075 chemists (2.5 per 10,000), and 81,404 (96.6 per 10,000) other medical practitioners without college or university degrees. The picture is even more promising:

Number of persons per medical doctor and dentist					
	1980	1985	1990	1993	1994
Medical doctors	407	349	304	297	300
Dentists	1 834	1 558	1 419	1 477	1 521

233. Notwithstanding this promising picture of medical aid, the physical and mental health of the population in Bulgaria in the last 10-15 years shows a number of unfavourable tendencies:

(a) Constant tendency towards a lower birthrate;

(b) Tendency towards a higher mortality rate;

(c) A higher infant mortality rate in the past few years;

(d) Lower population growth and depopulation in recent years;

(e) Deepening of the process of demographic ageing and a worsening ratio between the able-bodied and non-able-bodied;

(f) Lower average life expectancy in the past few years.

234. The highest relative rate of sicknesses in the period 1980 to 1993 was that of the respiratory diseases (41.8 per cent in 1993). In the second place were the diseases of the nervous system and sensory organs followed by coronary diseases. A number of dangerous infections (such as poliomyelitis, diphtheria, tetanus, etc.) have already been eliminated or brought to a few isolated cases. In recent years there has been a problem with contagious hepatitis, scarlet fever, varicella, etc. A worsened epidemiological situation in some neighbouring countries and certain problems of water supply have seriously worried health authorities. The country's priority problem is malignant diseases. The highest rate is that of trachea cancer, bronchitis and lung cancer, followed by skin cancers (without melanoma), breast cancer and stomach cancer. Tuberculosis fell from 178.2 per 100,000 to 102.8 per 100,000 of the population between 1980 and 1990. Since 1991, however, a new increase in morbidity has been observed with the proportion reaching 142.2. The reason lies in the grave social and economic crisis and lower standard of living. 11/

235. Diseases make more women temporarily disabled than men. As a whole there is an increase in the frequency of diseases leading to permanent invalidity; in 1993 it was 6.33 per 1,000 persons with medical insurance.

236. It is expected that the health situation of the Bulgarian population may deteriorate further as a result of the economic crisis during the market economy transition period, unemployment, the constantly worsening standard of living, the diminishing economic output, inflation and other factors.

237. Bulgaria has its own national health policy. It is contained in the national health strategy, entitled Good Health for Everybody, which was adopted in 1995. It is based on the priority objectives for the Government proceeding from the need to implement the basic constitutional right of all citizens to health protection. An important element in the national health policy is primary medical and sanitary care. It is exercised by five categories of out-patient hospitals and clinics, depending on the number of persons treated. A basic principle of health care is the local neighbourhood out-patient hospital or the health centres set up at workplaces. In recent years the tendency is to encourage citizens to choose freely their doctors and dentists within a given medical establishment.

238. The primary medical and sanitary care is given by local therapists, paediatricians and gynaecologists, physicians attached to industrial and other production enterprises, schools, kindergartens and specialized women's consulting rooms, and physicians with emergency hospital wards. In recent years part of this primary care has been rendered by physicians in private practice.

239. Current health care expenditures in the Republic of Bulgaria amounted to 4.3 per cent of GNP for 1993, as compared with 4.6 per cent for 1983. The State budget funds earmarked for health care amounted to 10.1 per cent of the total volume of budget expenditures for 1993, as compared with 7.2 per cent in 1983.

240. The situation in the Republic of Bulgaria with regard to WHO indicators is as follows:

Child mortality rate per 100,000 births

Causes	1980			1994		
	Total	Urban	Rural	Total	Urban	Rural
All causes	2 023.6	1 800.1	2 490.0	1 631.4	1 519.9	1 888.2
Infectious diseases, incl. parasitological	75.7	68.1	91.5	107.0	88.4	149.7
Nervous system and sensory diseases	60.1	56.5	67.4	31.5	27.1	41.6
Respiratory diseases	660.7	496.2	1 004.2	318.5	258.1	457.5
Gastroenterological diseases	99.9	94.6	110.8	28.9	30.7	24.9
Congenital abnormalities	310.5	302.3	327.5	485.9	483.8	490.8
Conditions arising in the natal period	665.4	668.1	659.8	501.0	516.3	465.8
Traumas and poisoning	79.6	50.8	139.7	60.4	41.5	104.0

Prenatal, neonatal and post-neonatal child mortality

	1980	1985	1990	1991	1992	1994
Prenatal	15.0	12.3	11.1	12.4	13.2	12.0
Neonatal	10.4	8.4	7.7	9.1	8.8	8.5
Post-neonatal	10.0	7.1	7.1	7.9	7.1	7.9

Child mortality per sex, urban and rural

	Total	Boys	Girls	Total	Boys	Girls
	1993			1994		
Total	15.5	16.3	17.8	17.6	13.1	15.1
Urban	14.9	15.2	16.9	16.5	12.8	13.8
Rural	16.9	18.9	19.8	20.1	13.8	17.7

241. As can be seen from the above table the fight against child mortality and childhood diseases is the priority objective for paediatric health care. Because the reasons for child mortality, as shown above, are clear, the efforts to cope with it are highly effective. At the same time, however, there are the regressive socio-economic factors, such as lower standard of living, lower quality nutrition and environment, inadequate means to provide medication and up-to-date medical equipment, including life-support systems for premature babies, etc.

Population with access to drinking water

	1990	1991	1992	1994
No. of settlements with running water	4 456	4 483	4 493	4 516
Water volume (in million m^3)	1 662.1	1 490.3	1 507.7	1 309.6
Utilized water (in million m^3)	1 198.9	1 031.5	926.7	701.0

Population with access to plumbing and sewerage

	1990	1991	1992	1994
Settlements with plumbing and sewerage	264	268	272	272
Plumbing and sewerage deviations (in 1000s)	271.1	273.5	277.0	322.0

242. For information concerning heating, see paragraph 188 above.

243. Newborn and infant immunizations in Bulgaria are carried out in accordance with an immunization calendar, approved by the Ministry of Health Care, and are mandatory for all health centres and services. This calendar is being strictly complied with. Below are data for basic immunizations carried out in 1994: 12/

- Diphtheria (combined with tetanus and whooping cough) 93.30%
- Poliomyelitis 93.88%
- Tri-vaccine (measles, parotitis, rubella) 93.32%
- Tuberculosis 96.85%

244. The average life expectancy is given in the following table:

Period	Total	Men	Women
1978-1980	71.14	68.35	73.55
1984-1986	71.19	68.17	74.44
1989-1991	71.22	68.02	74.66
1992	70.90	67.60	74.40
1993	71.20	67.70	75.00
1994	70.80	67.30	74.80

245. There is an alarming tendency towards higher mortality in the active age-groups, between 40 and 59 years. There was a negative population growth-rate in 1990. It fell from 3.4 per 1,000 persons of the population in 1980 to 2.9 in 1993. The urban population growth-rate in 1993 was less than that of 1980, yet still positive. The rural population growth-rate began decreasing in 1975, reaching 9.5 per 1,000 persons in 1993. Currently, the rural mortality rate is 1.5 to 2 times higher than in the urban areas.

246. The whole population in Bulgaria has access to qualified medical care. According to the Ministry of Health Care, in 1993 there were 287 hospitals with 88,910 beds, 3,723 out-patient hospitals, out of which 3,393 were in the rural areas, and 163 sanatoriums with 19,278 beds. In 1993 there were 28,457 medical doctors (33.6 per 10,000 persons), 5,727 dentists (6.8 per 10,000 persons) and 83,396 nurses (98.6 per 10,000). The following table shows the trend between 1980 and 1994:

Medical personnel

	1980		1985		1990		1994	
	Total	per 10 000	Total	per 10 000	Total	per 10 000	Total	per 10 000
Physicians	21 796	24.6	25 665	28.7	28 497	32.9	28 094	33.3
Dentists	4 839	5.4	5 745	6.4	6 109	7.0	5 540	6.6
Chemists	3 648	4.1	4 209	4.7	4 366	5.0	2 075	2.5
Nurses and other personnel	77 532	87.3	84 231	94.1	88 387	102.0	81 404	96.6

247. All pregnant and breast-feeding women in Bulgaria are entitled to medical care from qualified personnel. In 1994 there were 492 women and 1,660 women-and-children consulting offices giving such care to pregnant women and mothers. Child care is the responsibility of women-and-children consulting offices, as well as of the existing 694 specialized children consulting offices. Out of a total number of 2,792 consulting offices in the country, 1,950 are in the rural areas. They provide care for newborns, monitor their development, provide care and consultations on nourishment, immunization, etc. In 1993, 152,010 pregnant women sought advice in women consulting offices, with 128,436 women continuing to seek consultations after the third month of their pregnancies, which is 84.5 per cent of the total number. That same year 87,120 children received medical care and consultations, with 85,659 of them being under one month (98.4 per cent of the total number of children). An analysis of the trend in the past 20 years shows that pregnant women have been placed rather early under such medical care and consultation (in the first three months of pregnancies), which represents 97-98 per cent. Almost all children in the country are delivered in maternity hospitals or other health centres by obstetricians and qualified midwives. In the past 20 years about 99.4-99.6 per cent of all children were delivered in maternity hospitals or health centres, with 99.6-99.7 per cent in cities and towns, and 98.8-99.3 per cent in the rural areas.

248. Maternal mortality in the past decade has varied between 10.0 and 25.0 per 100,000 live births. The basic reasons for maternal mortality are complications during pregnancy, delivery and the post-natal period, including haemorrhages and abortions. In 1992, 19 women died during pregnancy, delivery and in the post-natal period, 7 of them as a result of abortion and 12 as a result of direct obstetrical circumstances.

249. All newborns are entitled to medical care from qualified personnel (see para. 246 above).

250. Judging by the data, there are no categories of persons in Bulgaria whose health is considerably worse than that of the majority of the population. High-risk categories are children, the elderly, invalids, persons with chronic diseases and the unemployed.

251. In the period under review, a number of changes have occurred in society which negatively affected the health of the population. To the change described above one could add the shock pattern of the socio-economic development, certain ill-fated administrative decisions, disregard for health care and services and other factors. Rather alarming is the fact that a number of diseases which Bulgarian society had already forgotten, such as tuberculosis, reappeared. There is an increase in drug addiction and nervous disorders because of the trend of personality degradation. Sociodemographic policies are not exactly abreast with the problems they are supposed to solve. The normative basis in this field is rather obsolete. The effectiveness of health care investments, though modest enough, is not what it should be, because of unclear purposes and principles.

252. In the period under consideration no particular amendments were introduced in legislation as compared to the period covered by the previous report. It is worthwhile mentioning, however, the Law on Drugs and Medication and Pharmacies of Human Medicine, passed in 1995 (State Gazette No. 36 of 1995), as well as the restoration of private medical practice, which came into effect by the amendments to the Law on Public Health (State Gazette No. 15 of 1991).

253. The Government intends to take certain measures with the aim of improving the health of high-risk groups. These measures are as follows:

(a) Informing expectant mothers about the possible harmful effects on unborn children of poor nutrition, smoking, the use of alcohol and drugs, contact with toxic substances, infection, etc.;

(b) Improving child nutrition;

(c) Setting up an effective mechanism for inter-agency coordination on problems of children living in particularly difficult circumstances;

(d) Expanding existing and introducing new methods of upbringing, treatment, rehabilitation and adaptation of children in particularly difficult circumstances, primarily by developing measures not necessitating separation from the family;

(e) Early diagnosis and timely treatment of the most common chronic diseases of the elderly, such as hypertension, coronary diseases, impaired and failing eyesight and hearing, etc.;

(f) Providing assistance to elderly persons in situations of grave emotional stress through friends and humanitarian organizations;

(g) Additional measures for detecting, diagnosing, and early treatment of diseases causing invalidity;

(h) Developing technical equipment and devices allowing patients to live without external help and ensuring the widest possible access to such devices;

(i) Developing a medical-sanitation protection system for the unemployed, based on regular out-patient health care, systematic health monitoring of the unemployed and their families, as well as methods to strengthen their mental health, and providing conditions for active social contacts and other ways and means of social rehabilitation.

254. In order to achieve the above-mentioned objectives, the Government intends to use the following sources of funding:

(a) Introducing the health insurance-based principle of financing and setting up a national health insurance system covering every citizen;

(b) Covering the medical expenses of children, housewives, retired persons and the unemployed from the State budget;

(c) Reviewing different kinds of paid health care for services not connected with meeting basic health needs;

(d) Expanding the activities of health establishments to enable them to raise funds through contracts for additional health services as requested by companies and enterprises, or through grants and donations, etc.;

(e) Covering expenses for health care activities needed in situations of risk or environmental pollution.

255. The Government's measures aimed at improving the situation of the risk categories have produced good effects so far. These measures are expected to be even more efficient under the national health strategy Health for Everybody.

256. There are a number of measures taken by the Government with a view to lowering the infant mortality rate:

(a) Training paediatricians, obstetricians and neonatal physicians in introducing up-to-date methods of diagnosis and treatment by equipment given under the PHARE programme;

(b) Organizing a nation-wide screening programme for early detection and treatment of congenital thyroid malfunctions in newborns;

(c) Expanding the scope and quality of medical-genetic prophylactic care by improving the effectiveness of screening programmes, and particularly by introducing ultrasonic screening of pregnant women on a wide scale;

(d) Introducing new prenatal and neonatal diagnostic programmes and setting up a national centre for children with congenital defects.

257. The situation may also be improved by increasing the health knowledge of the population - particularly parents - as well as teaching children to develop habits and knowledge for leading a healthy life.

258. The measures of the Government to ensure industrial and environmental hygiene are based on the fundamental right of citizens as proclaimed in article 55 of the Constitution: "Citizens shall have the right to a healthy and favourable environment ..." They are expressed, first of all, in the legislative policy of the State. Article 15 of the Constitution proclaims the obligation of the State to ensure the protection of the environment. The rights and obligations of State and municipal organs in gathering and analysing information on the environment, monitoring and responsibility for punishing those causing environmental damage, are laid out in the Law on Protection of the Environment (State Gazette No. 47 of 1967). The requirements for industrial hygiene are laid out in the Labour Code and relevant normative acts. They are discussed in the previous paragraphs dealing with the right to hygienic and safe working conditions.

259. Apart from legislation, the role of the State to secure a favourable environment can be seen in its financing of different activities. In 1993 national and municipal environmental protection funds increased their shares by 8 per cent and 4 per cent respectively. Investments by economic enterprises, in particular, rose by 38 per cent. 13/

260. An important lever for ensuring compliance with the law on the environment are fines and sanctions and - in some cases - liability.

261. The price reform (freeing electricity consumption prices and solid and liquid fuel prices) resulted in a drop in electric power consumption, as well as in emissions of sulphuric acid, solid particles and other pollutants of power generation. Keeping prices of unleaded fuel low encourages lower consumption of leaded fuel.

262. Taxation regulators, such as import taxes for used cars brought into the country, are now being introduced as a means of curbing additional environmental pollution. Environmental monitoring equipment is duty free, as are installations and equipment for environmental purification and alternative power source technologies.

263. The measures of the Government to prevent, treat and control epidemic, endemic, occupational and other diseases include the following:

(a) A national plan for polioeradication, as well as the adoption of national plans for diphtheria and congenital rubella eradication. A plan is now being approved for measles, mumps and rubella eradication by replacing the reimmunization of the 12-year-old with MMR tri-vaccine;

(b) Changing the immunization calendar by introducing Td immunization for 17, 25 and 35-year-olds, as well as T and Td immunization for persons travelling to countries with diphtheria epidemics;

(c) "Made in Bulgaria" anti-bacterial and certain anti-virus and other vaccines; further development of the health protection network and a highly specialized network of hygiene and epidemiological inspections;

(d) A national programme for AIDS prevention and control has been in effect since 1985 and has become a joint WHO-Bulgaria programme since 1991;

(e) Improving the national information monitoring system of labour and health conditions of workers and employees and bringing it into conformity with similar European Union information systems;

(f) Expanding the scope and efficiency of prophylactic care for those working under detrimental conditions;

(g) Preparing national health prophylaxis programmes for at-risk industrial branches (such as coal mining, power generation, metallurgy, etc.), including special measures for working conditions in small companies and offices in conformity with ILO Convention No. 120.

264. The measures of the Government for ensuring Medicaid and medical care in case of illness are as follows:

(a) Health protection - health prophylaxis, State sanitation control, special health promotion initiatives;

(b) Prehospitalization and sanatorium care - developing a health care network, creches and kindergartens, medical experts, out-patient monitoring, etc.;

(c) Drug and medication supplies - setting up a network of pharmacies, drug and medication warehouses and outlets, encouraging import and trade in drugs and sanitation materials, etc.;

(d) Health-care financing from the State budget, by citizens, etc.;

(e) Developing medical sciences and medical education;

(f) Health care management;

(g) International health care cooperation.

265. The measures mentioned in paragraphs 255-263 regarding risk groups have proved to be effective, although there are a number of problems which necessitate other measures in addition to those listed in paragraphs 252 and 255.

266. A number of measures are envisaged in order to prevent the right to health of the elderly being impaired by rising health care expenses:

(a) Providing assistance by humanitarian organizations to elderly persons in grave emotional stress situations which can cause serious somatic diseases, depression, and may even lead to suicide;

(b) Material assistance by municipalities to elderly persons with low incomes suffering diseases which require constant medication-based treatment and special diets;

(c) Expanding the social home-call system and Medicare for lonely elderly people with impaired physical abilities;

(d) Annual anti-flu immunization of persons over 60;

(e) Systematic treatment of the elderly suffering from respiratory chronic diseases;

(f) Covering the health care expenses of retired persons from the State budget.

267. Municipality participation in planning, carrying out and control over primary medical care has necessitated dividing the territory of Bulgaria into 28 health districts, each with a different number of municipalities. Health care centres, hospitals and related establishments are under municipal administration and financed from municipal budgets. Each district has one general hospital with an average of 950 beds. Some of them also perform interregional functions, depending on their specialized medical wards. Out-patient hospitals attached to the district general hospitals perform consultation services for each district. They are also charged with dispensing primary medical aid to the population in the district.

268. There are also other specialized services provided by out-patient and patient hospitals rendering prophylactic services, diagnosis and treatment of early-detected malignant tumours, tuberculosis and non-specific chronic diseases, skin and venereal diseases and mental disorders.

269. Depending on the size of a municipality, there are also municipal hospitals with out-patient divisions with an average of 270 beds. Patients are admitted in at least four specialized wards. In the smallest municipalities (mainly in villages) there are rural out-patient centres with three to six specialized offices, a rural health service, doctors and assistants. There are also specialized hospitals such as maternity hospitals, lung hospitals, mental hospitals, etc. Workers' hospitals are established for workers and employees in the big industries.

270. Local health care centres collect information about the health care of the population. The information is then sent to district health centres and from there to the national health information centre.

271. Education with respect to health care and disease prevention can be analysed in two ways. On the one hand, there is the health care information system. The existing institutionalized health care information network is represented by the National Health Information Centre, attached to the Ministry of Health, and 28 territorial units within the district public health care centres. Information on the population's health is processed initially by health centres. Information flow reaches a territorial unit and thence it is connected to the information base of the National Health Information Centre. The information system requires the following:

(a) Bringing the health care information system into line with the objectives of health care, its functions and structures, as well as managerial skills for solving health problems on a priority basis;

(b) Developing the information system on several basic levels according to the country's territorial division;

(c) Setting up and developing up-to-date health care information with a view to making the system an open one, offering opportunities for embracing new structures, functions, problems and objectives and adapting itself to a changing health care organization and management;

(d) Setting up an up-to-date material and technical information basis and software, which will enable registration of cases and phenomena without overloading medical personnel with paperwork, rapid data transmission from source to consumer, timely information processing and analysis. This aspect also includes informing the population about basic health care problems through the mass-media, specialized medical publications, etc.

272. On the other hand, there is the development of medical sciences and medical education. Since the beginning of the 1990s medical sciences in Bulgaria have undergone serious changes. The Medical Academy was closed in 1992. New legislation guaranteed greater autonomy to medical universities. At the same time central coordination of research plans and programmes was eliminated. This led to fragmentation and lack of organization of scientific research. National health priorities and effective directions in medicine have not been taken into account. Medical schools (universities and colleges) lost access to the most up-to-date equipment for invasive and non-invasive diagnosis. Research projects did not receive adequate funding.

273. Medical education in Bulgaria has its own traditions and achievements. If assessed according to generally accepted standards, Bulgarian medical doctors and scientists are of high quality. Medical universities and colleges train physicians, dentists and pharmacists. The number of medical universities and colleges equals that of other States in Europe having approximately the same size and population as Bulgaria. In addition there are 14 institutes for training sub-university medical personnel in 12 disciplines. They turn out a sufficient number of qualified midwives, dental assistants, laboratory assistants, etc. Post-graduate qualification for university graduates can be conducted in medical universities and national centres. No other country can match Bulgaria's number of medical specialists (60 per cent).

274. There are many unresolved and underestimated problems facing university medical education and medical sciences. Among them are the following:

(a) Lack of objective criteria about the need for medical personnel;

(b) Disparity between curricula and the real need for a new type of medical personnel;

(c) Inadequate practical preparation of graduating medical students, particularly physicians;

(d) Insufficient pedagogical work in medical universities and colleges;

(e) Insufficient training in medical ethics and deontology;

(f) An obsolete system of exams and student evaluation;

(g) Insufficient control on the part of the State and society over medical schools;

(h) Medical-school funding lags behind growing requirements;

(i) Lack of criteria to define the bases of post-graduate specialization;

(j) Students failing to meet required standards at discipline exams.

275. The role of international assistance in the full realization of the right enshrined in article 12 of the Covenant is of particular relevance to Bulgaria during the present period of transition. A number of interventive projects are under way, aiming at creating the normative basis necessary for structural reform in the national health system. The scientific and application-oriented projects are financed chiefly by foreign sources and international organizations such as WHO, the PHARE Programme of the European Union, UNICEF, the Council of Europe and others. These projects are linked with the elaboration of projects for normative acts; analysis of various aspects of the national health policy and its development in the conditions of the ongoing economic crisis; analysis and assessment of the national medication policy, etc. In the new Mid-Term Cooperation Programme between the European Regional Office of the World Health Organization and Bulgaria's Ministry of Health Care for the period 1994-1995, there are included 24 research and interventive projects which are part of the European strategy Health for All By the Year 2000.

276. The multilateral health cooperation is based, first of all, on cooperation with WHO with which medium-term programmes are carried out and updated in accordance with priority health issues. These programmes reflect the health-policy goals of WHO Regional Strategy Health for All. The elaboration of the National Health Strategy Health for All, and participation in various programmes on environment and health, AIDS and others, are only part of the activities realized jointly with WHO.

277. In the field of health care Bulgaria's participation in the PHARE programme began in 1991, whereby humanitarian aid in the amount of 15 million ecus was granted for medication, medical equipment and consumables in hospitals and health establishments. Since 1992 Bulgaria has participated in the Indicative Programmes 1992 and 1993, which cover 14 health projects (e.g. Emergency Aid Restructuring, Social Security System Introduction Preparation, National Medication Policy Elaboration and others) to the amount of 25 million ecus.

278. Since 1991 Bulgaria has been a member of the Council of Europe, and subsequently a member of the European Health Care Committee. Thanks to resources from the Council of Europe there have been conducted in the country courses, seminars and workshops on problems of health care management, the quality of medical aid, and other subjects. In 1994 Bulgaria was elected to membership of the Pompidou Group within the Council of Europe, which deals with the prevention and control of drug traffic and the fight against drug addiction in Europe. With a loan from the International Bank for Reconstruction and Development the Ministry of Health Care of Bulgaria initiated projects for restructuring the centres for blood transfusion and

transfusion hematology, and the centres for emergency and primary medical aid. The bilateral health cooperation is best illustrated by the signed treaties and agreements for cooperation in the field of health care and medical science with Belgium, the United Kingdom, Greece and other countries. Under way also are joint health projects with countries with which Bulgaria has not signed yet bilateral agreements. Such a project is being carried out with Switzerland. With the United States there are being carried out joint projects in the field of child surgery and the financing of health care. With France there is a project going on the enhancement of the economic qualification of health managers and the improvement of accounting systems in some hospitals, and others.

Article 13

279. The right to education is a fundamental constitutional right of the citizens of Bulgaria, proclaimed in article 53, paragraph 1, of the Constitution. The complete realization of this right is traditionally in the focus of the attention of the State and the society. Over the past few years a number of reforms have been started.

280. By virtue of article 53, paragraph 1, of the Constitution, "Everyone has the right to education". Article 4 of the Law on National Education develops further this constitutional rule by emphasizing that all citizens are entitled to education without restriction and/or privileges based on race, nationality, sex, ethnic and social origin, beliefs and social status. Of particular importance is the provision of article 9 of same law, whereby each and every citizen has the right to choose his/her school and type of education in accordance with his/her own preferences and possibilities. Under article 7, paragraph 1, of same law school education (primary education) is compulsory for children up to 16 years of age. Education in State and municipal schools is free of charge (art. 6 of the Law on National Education). This makes it accessible to each citizen. In 1993 primary education was completed by 104,900 persons. The ratio of those who have completed primary education and have continued their education in secondary schools is a comparatively high and stable one:

Pupils who continue in secondary schools after completing their primary education (in percentage)

	1985/86	1990/91	1993/94	1994/95
General secondary school	45.0	36.3	40.1	40.3
Secondary professional-technical school	33.9	37.5	37.2	28.4
Vocational schools and art schools	14.6	23.0	16.5	30.2
Total	93.5	96.8	93.9	98.9

Source: Ministry of Education, Science and Technologies.

281. Secondary education, including technical and professional-technical, is generally accessible and free of charge in State and municipal schools. In cases of proven high scores or material difficulties of the pupils the State grants them stipends. In 1993 out of 90,921 secondary school graduates 34,645 of them graduated from general secondary school, 27,392 from professional-technical schools and 28,884 from vocational schools and art schools.

282. Higher education in Bulgaria is accessible to all citizens who have completed their secondary education and have successfully taken their student admission exams: competitive exams, tests, and other similar requirements. In 1995 in Bulgaria there functioned 41 higher education establishments and 47 colleges. 14/ The total number of students has increased rapidly over the past few years. Currently, in Bulgarian universities and colleges there are listed 205,000 students. On the strength of the indicator "number of students per 10,000 of population", Bulgaria ranks twenty-fifth in the world (245 students per 10,000). The costs of such higher education are borne by the State for the State and municipal educational establishments. Their extent depends on the respective discipline being studied.

283. Free, in the sense of unrestricted access to higher education is in the process of establishment also in the newly-created private higher education institutions, in which students pay for their education. In the academic year 1993/94 there were 5,184 students enrolled in such institutions of whom 1,801 are first-year students. 15/

284. Persons who have not completed their primary education are given the opportunity to do so in evening schools, where they may study after working hours.

285. Over the past few years - years of transition to a market economy and sweeping restructuring of State and public life - there have been certain definite achievements, but a number of difficulties and drawbacks also appeared. The political and economic crises in the country have had their impact on the right to education. The constantly increasing financial deficit and imbalance in the budgetary allowances for education imposed the cessation of construction of new schools and the halting of repairs and renovation of the existing education estate. As a consequence the health care, rest and recreation, and summer holiday camps of pupils and students were neglected, something that is having an unfavourable impact on the health condition of pupils and students.

286. According to the December 1992 census, the illiterate in Bulgaria are 2 per cent of the population above 7 years of age. The registered primary school pupils (grades I through VIII) number 874,656, of whom 24,637 are in rural areas (28.2 per cent). The primary school pupils form 60.2 per cent of the pupils and students at all other levels. The primary school (first level) drop-out rate for the 1992/93 school year was 3.5 per cent.

287. During the 1993/94 school year those continuing their second level of education (secondary education, grades IX through XI/XII) numbered 363,138 (25.8 per cent of those studying at all levels); 6,611 of them attended evening and extramural schools. The secondary school (second level) drop-out rate for the 1992/93 school year was 4.5 per cent.

288. The percentages of pupils and students who completed their education in 1993 and 1994 is as follows:

Degree	1993	1994
Primary education	45.3	47.4
Secondary education	40.9	39.5
University and college education	13.8	13.1
Total with completed education	100.0	100.0

289. The share of the Gross National Product and of the consolidated State budget allotted for education over the past three years is as follows:

Budget year	Share of GNP	Share of consolidated State
1992	5.4%	13.4%
1993	5.3%	11.9%
1994 a/	4.5%	10.3%

a/ Preliminary data.

The outlays shown also include the subsidies for education in the municipalities. The financing of education from the State budget covers 94.4 per cent of the respective expenditure.

290. The school system is determined in the Law on National Education. Depending on the form of ownership, schools are State, municipal or private. The resources for the establishment, maintenance, equipment and general renovation of State schools are provided from the State budget, for the municipal schools from the municipal budget and for the private schools from the owner and the tuition fees of pupils/students. Depending on the degree of education, there have been created primary schools, secondary schools, senior high schools, special senior high schools (technical, foreign languages, arts), professional-technical schools, colleges, and universities.

291. Below are data on some of the basic types of schools:

Type of school	1985/86	1991/92	1993/94	1994/95
General education	3 508	3 439	3 360	3 359
- Elementary schools (grades I-III)	738	632	613	529
- Junior high schools (grades IV-VIII)	48	32	31	32
- Secondary schools (grades I-VIII)	2 187	2 158	2 120	2 125
- Senior high schools (grades IX-XII)	70	57	138	151
- Complete high schools (grades I-XI)	465	560	458	459
Professional-technical schools	3	5	6	9
Special schools	129	131	136	131
Vocational schools	218	254	249	266
Art schools	14	14	19	19

292. Presently, there are 41 higher education establishments in Bulgaria:

Twenty-one universities for the formation of cadres in the field of the humanities and social, economic, technical, agricultural, medical and pharmaceutical sciences;

Four institutes in the fields of medical and agricultural sciences and food industry sciences;

Six academies in the fields of the economy, arts and sports;

Seven special higher education establishments preparing cadres in the field of the country's security. 16/

293. The equal access of citizens to the various levels of education is not only guaranteed by the law but is implemented in practice.

294. The percentages for 1993 of men and women graduating from the various levels of education are as follows:

	Men	Women
Primary education	57.5%	42.5%
High School Education	53.5%	46.5%
College and university	47.0%	53.0%

295. The situation of persons in a more disadvantaged situation is as follows:

(a) There are no restrictions on the right to education of girls. This issue has been extensively analysed in the report under the Convention on the Prevention of All Forms of Discrimination Against Women;

(b) Thanks to the free system of education in State and municipal schools children of low-income groups are not restricted in their access to education. Furthermore, the State grants scholarships to students in high schools, colleges and universities.

296. The following table shows the number of general schools in rural areas:

General education schools in rural areas	1985/86	1991/92	1993/94	1994/95
General education	2 320	2 223	2 155	2 155
Elementary schools	548	465	439	418
Junior high schools	26	19	17	19
Secondary schools	1 680	1 655	1 619	1 612
Senior high schools	-	-	3	3
Complete high schools	66	84	77	73

297. The following table shows the number of special schools in rural areas:

Specialized schools for physically and mentally disabled children and children with social problems

	1985/86		1990/91		1991/92		1994/95	
	Schools/pupils							
Schools for retarded children	85	12 303	85	10 949	87	10 306	78	9 157
Boarding schools			7	1 026	12	913	13	836
Pedagogical boarding schools			12	1 047	19	1 458	29	2 239
Schools for children with impaired hearing	4	858	4	832	4	764	5	689
Schools for children with impaired eyesight	2	277	2	325	2	317	2	308
Logopedic schools	6	611	6	517	7	485	4	273
Total	129	16 947	126	14 696	131	14 243	131	13 502

298. The special establishments for education and upbringing are managed and financed by the Ministry of Education, Science and Technologies. In November 1993 there was elaborated a strategy for promoting and changing the special schools' status and curricula, namely:

(a) Pursuing a socially, financially and pedagogically sensible policy of changes in the special schools system;

(b) Carrying out investment activities to stabilize and strengthen the assets of the special schools for education and upbringing;

(c) Setting up classes for professional training attuned to the respective school's particularities, the character of the region, and the interests of the children.

299. On the whole a lot was done to improve pedagogical and research monitoring of the work of the various special establishments; surveys and research have been carried out to help arrive at an objective and critical assessment of the situation of these institutions in the system of education. At present, in these establishments there are about 5,945 pedagogical cadres, most of them with the necessary qualifications to work in special schools. In fact, the pedagogical staff in the special schools for children with impaired eyesight, hearing and speech, and the physically and mentally disabled, are graduates of special faculties or programmes in universities and higher education pedagogical institutes; their qualifications are further enhanced by various forms of post-graduate education and specialization. For work in such schools the teaching staff receives additional remuneration in the amount of 3 per cent of the basic wage.

300. The special education establishments are free. In some of them the curricula consists of special educational programmes; in others it follows the regular general education plans and programmes.

301. The Law on National Education entitles children whose mother tongue is not Bulgarian to study their mother tongue under the protection and control of the State (art. 5, point (a) and art. 8, para. 2 of the Law on National Education). The teaching of a mother tongue is not permitted in the State-run schools. On the agenda of the Ministry of Education is the elaboration of a methodology for work with children whose mother tongue is not Bulgarian, as well as qualification programmes for the teaching staff working in bilingual areas. Presently, a mother tongue can be studied in private schools or as a freely chosen discipline in State and municipal schools.

302. There exists an illiteracy problem within various ethnic groups. This problem affects 1 per cent of the Bulgarian ethnic group, 7.4 per cent of the Turkish ethnic group, and 11.2 per cent of the Roma ethnic group. 17/ No statistics are kept on children of immigrants and migrant-workers.

303. In order to ensure equal access to education as provided for in the legislation, the Government is expanding the network of State and municipal schools, provides fellowships to students in difficult material situations, organizes evening and extramural education for persons who are studying and working, etc. Therefore, practically any person wishing to study may do so.

304. In Bulgaria the teaching profession has traditionally enjoyed the highest respect. Regrettably, the economic crisis has had its impact on this profession, too. With regard to the Recommendation concerning the Status of Teachers, adopted on 5 October 1966 by the Special Intergovernmental Conference on the Status of Teachers, convened by UNESCO, it should be said that the conditions of the teaching staff are not at an adequate level. In this connection, the Bulgarian Teachers Trade Union, the Confederation of Independent Trade Unions in Bulgaria, has made demands to enhance the degree of the post "teacher", with a subsequent salary raise, as well to preserve the right of teachers to retire five years earlier than the retirement age of other workers and employees working under the conditions of labour category III.

305. The ratio of the average wage of teachers with the average wage of civil servants in 1993 was 102.9 per cent, i.e. the average teachers' wage is 2.9 per cent higher than that of the rest of the civil servants. Regrettably, the average remuneration of persons working in the education sector fell from 92.3 per cent in 1991 to 68.2 per cent in 1994 compared with the average national wage. This is why education occupies the fourteenth place in terms of remuneration out of the 16 government-registered sectors (see art. 7 above). 18/ This is also the reason why many teachers and managers in the schools are leaving this profession. In several municipalities vacancies are being opened to persons with a high school education. In 1994 their number was 6,017. 19/

306. The measures undertaken by the State to improve the living conditions of the teaching staff are wage rises, special supplements to the pensions of teachers for years of service, enhancement of teachers' qualifications, etc.

307. Recently there began the setting up of schools not by the State itself, but by private natural or legal persons. In the 1993/94 school year there were 22 such schools, accounting for 0.6 per cent of all schools. Eleven of them were primary schools, two junior high schools, six senior high schools and three vocational high schools. They had a total of 1,348 students. In the 1994/95 school year there were 31 private schools with 2,516 students, 11 of which were primary schools with 809 pupils, one secondary school with 76 pupils, two junior high schools with 69 pupils, eight senior high schools with 943 pupils, and nine vocational high schools with 619 pupils. Five non-State higher education establishments have already been up.

308. There are no legal restrictions on studying in private schools, provided that those wishing to do so have the relevant material possibilities because tuition is paid by the students. The private schools are created according to the order established by the State; their curricula is subject to approval by the Ministry of Education, Science and Technologies.

309. Over the period covered by the report, and particularly after the political and economic changes, serious transformations occurred in the national policy, legislation and practice, some of which have reflected negatively on the enjoyment of the rights enshrined in article 13. On the one hand, a reform was enacted in the legislation concerning some of the elements of education. The strong points of this reform are the Law on Academic Autonomy of Higher Education Establishments (published in the State Gazette

No. 10 of 1990), and the Law on National Education. On the basis of these laws was carried out the democratization of education by overcoming the former Party strings and ideological monopoly, banning political activities in educational establishments, updating the curricula, and restructuring the educational process. These changes are of a positive nature and they will be furthered in the practical life.

310. At the same time the economic difficulties of the State have reflected very unfavourably upon the educational system. The constantly increasing financial deficit and budgetary imbalance with respect to the maintenance and support of the educational system have led to a cessation in the setting up of new schools, the halting of repairs and renovation of the existing educational estate, and so on. Paid educational and pedagogical services in the State-run schools have risen and are fast becoming a burden for many parents. The remuneration of teachers does not correspond to their significance and this leads to diminishing interest in the teaching profession and worsening of the quality of teaching. An important task for the Government is to adopt urgent measures to cope with these problems. The Government has set out for itself as priority tasks in this field the following:

(a) Continuing the reform in education and promoting it as a public sphere, consistent to the maximum extent with national traditions and free from ideological monopoly and short-term political considerations;

(b) Enhancing the social status of teachers and solving pressing problems dealing with their qualification;

(c) Drafting State educational requirements and systems for assessment of high school education. Under way is the drafting and realization of the national programme "the Bulgarian School in the Twenty-first Century", with emphasis on foreign language education, civil education and upbringing, leisure- and free-time management, health and ecological education and upbringing, professional orientation and education.

311. The role of international assistance in the full realization of the rights enshrined in article 13 is expressed in the improvement of the joint work with UNESCO; the development of research projects in the field of education within the framework of the programmes TEMPUS, PHARE and others; the development of bilateral projects, particularly in the field of higher education with Austria, Germany, Spain, the United States of America, and others. These projects deserve a most positive assessment.

Article 14

312. In Bulgaria there is compulsory and freely accessible primary education (see above under art. 13 of the Covenant).

Article 15

313. The right of everyone to take part in cultural life and to manifest his or her own culture is a fundamental constitutional right in the Republic of Bulgaria. This is proclaimed in article 54, paragraph 1, of the Constitution, which reads "Everyone has the right to enjoy the national and the common to

all mankind cultural values, as well as to promote his or her own culture in accordance with his or her ethnic origin, which is recognized and guaranteed by the law." This right is established also in a number of laws and legal acts of the Council of Ministers, among which are laws having entered into force at earlier periods and which have been described in previous reports, such as the Law on Monuments of Culture and Museums, the Law on Creative Funds, the Ordinance-Law on Popular Cultural Centres, as well as recent legal acts such as the Copyright Law and the Patent Law.

314. Regrettably this has not proved sufficient for the promotion of culture over the past few years. Highly important are the provisions in the Regulations of the National Arts Centres of the Ministry of Culture. They manage the financing, the access of every creative worker in the various fields to competitive activities, the protection of cultural identity, the preservation and diffusion of cultures and world values. Very important also is the 1994 Ordinance No. 128 of the Council of Ministers, which defines the status and financing of State cultural institutions of national importance.

315. In order to help the activities of museums, galleries, and to promote the arts, as well as to help preserve the movable monuments of culture, the State budget ensures an annual subsidy. Any professional publisher whose headquarters are in Bulgaria may request a State subsidy for book-publishing activities. A State subsidy may be granted also for joint projects with foreign participation. The respective conditions are set out in the National Book Centre Activities Regulations.

316. Normative acts relating to funds to support theatre activities have still to be drafted. For the time being the theatrical arts rely heavily on budgetary allowances, but there exist also additional opportunities for support:

(a) Since 1994 the structure of the State subsidy for theatrical activity has been strengthened by the introduction of a mechanism for support of theatrical projects. The projects in question are examined on a competitive basis by expert commissions of the National Theater Centre. Thus, the opportunity is created for the State to support not only State theatres but also other theatrical organizations - municipal theatres, independent theatres, student theatres, and others;

(b) The Soros Centre for the Arts of the Open Society Foundation has a fund for assistance to theatrical projects;

(c) In individual cases theatrical projects may enjoy financial assistance from other foundations.

317. The institutional infrastructure established for the implementation of policies to promote popular participation in culture includes cultural centres, museums, libraries, theatres, cinemas, traditional folk art and cultural heritage societies. This matter has been dealt with in the preceding report on article 15 of the Covenant. Below are some of the more important recent data:

Theatres	1990	1991	1993	1994
Total	74	78	81	87
Seats (in 1 000s)	27.6	27.2	29.1	28.4
Performances (in 1 000s)	14.2	12.8	13.4	13.9
Attendance (in million entries)	3.7	2.6	2.4	2.5
Cinemas	**1990**	**1991**	**1993**	**1994**
Total number	2 174	979	270	247
- in urban areas	494	405	215	205
- in rural areas	1 676	574	55	42
Movie shows (in 1 000s)	701 795	414 365	209 646	160 953
Attendance (in 1 000s)	47 692	25 712	11 075	6 551
Popular cultural centres	**1990**	**1991**	**1993**	**1994**
Total number	4 248	4 255	4 246	4 228
- in urban areas	555	555	546	546
- in rural areas	3 693	3 700	3 700	3 582
Membership (in 1 000s)	887	297	247	222
Libraries	**1991**	**1992**	**1993**	**1994**
Total number	8 854	8 587	8 367	8 165
Library estate in items (in 1 000s)	118 567	118 112	100 558	100 370
- including books	84 245	83 574	82 043	81 697
Publishing activities	**1991**	**1992**	**1993**	**1994**
Books (including brochures)				
Titles	3 260	4 773	5 771	5 925
Total print (in millions)	40.9	53.7	55.4	42.7
Magazines (including bulletins)				
Titles	728	681	777	699
Total annual circulation (in millions)	18.7	23.8	31.9	21.5
Newspapers				
Titles	727	917	928	1 059
Total annual circulation (in millions)	519.7	616.0	654.2	1 121.5

318. There is a wide national network of museums and art galleries - 211 in total. In them are kept over 4 million movable monuments of culture. They are accessible and help enrich the national cultural and historic heritage. Master craftsmen have their own organizational society which is protected and assisted by the State.

319. The National Book Centre stimulates the promotion of national literary culture and assists the creation and diffusion of works in the fields of literature, literary theory and criticism, philosophy, the practice of and knowledge about the arts, the sciences of man and society.

320. The basic centres for culturally recreational and educational activities are the popular cultural centres, which number 4,200 spread all over the country. The users of the popular cultural centres come from all ages, socio-economic, professional and ethnic groups of the population. The life in those centres is creative and rewarding. Currently there are 7,748 groups for amateur arts and 15,228 for folk arts, with a total number of 16,000 participants. 20/

321. There exists a network of 54 State theatres (35 for drama and 19 for puppet shows). In the capital city, Sofia, there are 4 municipal and about 10 independent groups. 21/

322. There are 8,300 libraries. The National Library, St. Cyril and Methodius, the central scientific libraries, the libraries at universities and colleges and the regional libraries provide topical and updated information in all spheres of knowledge. There are also 3,700 libraries in the popular cultural centres with about 1 million readers. The schools have their own library network of over 3,000 libraries. 22/

323. The promotion of cultural identity as a factor of mutual appreciation among individuals, groups, nations and regions is guaranteed by the Constitution. In the process of collection, preservation, research and diffusion of cultural values all ethnic groups and religious communities are equal before the law.

324. In force in Bulgaria is the European Cultural Convention, which was signed in 1992 in Malta. Forthcoming also is the signing of the Convention on the Protection of the European Cultural Heritage. The Copyright Law contains provisions concerning the protection of rights of foreign authors and performers. It should be mentioned also that Bulgaria recently ratified the Bern Convention.

325. New normative acts are in the drafting process, such as a bill on the popular cultural centres, a bill on the preservation of the immovable cultural heritage, an ordinance on libraries, as well as amendments and supplements to the Law on Monuments of Culture and Museums.

326. The promotion of awareness and enjoyment of the cultural heritage of national ethnic groups and minorities is regulated in the Constitution, the 1969 Law on Monuments of Culture and Museums, as well as by the international

instruments. These activities are managed by the Ministry of Culture, its specialized units, the museums, the art galleries and other institutions. Presentation and diffusion of cultural heritage are realized through permanent and/or temporary exhibitions in museums and art galleries, as well as by the mass media.

327. The legislation protecting the freedom of artistic creation and performance is based on the constitutional provision in article 54, paragraph 2, of the Constitution, which reads "The freedom of artistic ... creation is recognized and guaranteed by the law." The legal setup concerning the guarantee of these freedoms is contained in the Copyright Law (published in the State Gazette No. 56 of 1993). This law guarantees full freedom to artistic creativity and protects the rights of artists concerning the creation, use and diffusion of their works.

328. Vocational education in the field of culture and art is carried out in specialized senior high schools, colleges and universities. During the 1992/93 school year there were 16 senior high schools in the arts with 3,401 students and 3 art colleges and/or universities with 2,335 students. In 1992, 658 senior high school students in the arts graduated, with 356 students graduating respectively from art college and/or university. 23/

329. The Krastyu Sarafov National Academy for Theatre and Cinema Art is the main institute for education in the field of theatrical art. Each year about 30 actors receive their diplomas for drama theatre, 10-15 for puppet theatre, 5-6 directors for cinema, drama and puppet theatre. 24/

330. The professional education in the fields of music, painting and others is carried out in specialized senior high schools, college and/or university (academy).

331. Among the other measures taken for the conservation, development and diffusion of culture should be mentioned the State assistance through subsidies (see above), the participation in thematic exhibitions, festivals and competitive events in Bulgaria and abroad, etc. Among the positive results of these measures mention should be made of the newly acquired liberty of spiritual life free from dogmas and close control, the attainment of real freedom of speech, and some others. The more tangible difficulties and failures are related, first of all, to financial difficulties. As a result of the general economic crisis the share of culture in the State budget fell from 1.6 per cent in 1989 to 0.6 per cent in 1994. The material basis was seriously affected by the restitution, as a result of which there was an unrecoverable loss of 203 cultural sites with a total surface of 211,000 m^2. Due to the crisis a severe drop has been registered in film production, the library fund and book publishing. 25/

332. The right of everyone to enjoy the benefits of scientific progress and its applications is a basic constitutional right of the citizens of the Republic of Bulgaria. This is proclaimed in article 54, paragraphs 2 and 3, of the Constitution, the provisions of which read as follows:

"Article 54 ...

"(2) The freedom of artistic, scientific and technical creativity is recognized and protected by the law."

"(3) Inventors', authors' and kindred rights are protected by the law."

333. The promotion of freedom of scientific and technical creativity and related rights are regulated in a number of laws and normative acts of the Council of Ministers. Among them are the Law on Scientific Degrees and Scientific Titles of 1973 (analysed in previous reports), the Penal Code of 1968 (analysed in previous reports), the Copyright and Kindred Rights Law of 1993, the Patent Law of 1993, and others. In addition to the legislative measures, the State also takes other measures for the exercise of these rights such as the financing of scientific and technological research, the creation of special research and technology centres, the development of international cooperation in the field of scientific and technological progress, etc.

334. Over the past few years, however, it has been increasingly difficult for public and private production to utilize the accumulated scientific potential. The causes for this are technological underdevelopment, the restructuring and diminishing of production, and the lack of need for highly qualified and intellectual labour. As a result, over the past four years in industry, no new products and technologies designed in Bulgaria have been introduced. All this is dooming the competitiveness of the "made-in-Bulgaria" production, signalling further decreases in output levels and technological relevance.

335. The measures taken to ensure the application of scientific progress for the benefit of everyone, including measures aimed at the preservation of mankind's natural heritage and at promoting a healthy environment and information on the institutional infrastructures established for that purpose, are manifest, above all, in State-provided financing, State control over the impact of new technologies on the citizens' health and the environment, organization of thematic exhibitions, etc.

336. The measures taken to promote the diffusion of information on scientific progress include development of specialized publications, subscription of the scientific libraries to the foreign specialized editions, sponsorship of the participation of Bulgarian experts in international forums, etc.

337. The measures taken to prevent the use of scientific and technical progress for purposes which are contrary to the enjoyment of all human rights, including the rights to life, health, personal freedom, privacy and the like, include the measures described above in paragraph 334.

338. As a matter of principle national legislation does not allow restrictions of this right.

339. The legislative setup of the right to protection of the moral and material interests resulting from scientific, literary and artistic work was dealt with above. The more substantial practical measures for full

application of this right, including the creation of conditions necessary for scientific, literary and artistic creative work and protection of intellectual property as a result of these activities, are also indicated above.

340. The steps taken by the Government for the conservation, development and diffusion of science and culture have been described above.

341. An important means of preserving and promoting culture, science and artistic creativity is the right to participation in the creation and use of the achievements of culture and the development of scientific and technical progress. As pointed out earlier, this right is included in the basic constitutional rights of citizens. It has been further promoted in the current legislation, as described above. As to the national educational system, this matter was dealt with in article 13. The mass media and the communications media play a role through popularization of technical achievements, dissemination of specialized publications, radio and television broadcasts, etc.

342. The other practical steps taken to promote such conservation, development and diffusion is the setting up and maintenance of exhibitions, museums, libraries and the like, sponsorship of amateur artistic groups, the holding of festivals of professional and amateur art, sponsorship of cultural centres etc.

343. The respect and protection of the freedom indispensable for scientific research and creative activity is a basic constitutional right enshrined in article 54 of the Constitution. This point has been frequently stressed in this report.

344. The measures designed to promote enjoyment of this freedom, including the creation of all necessary conditions and facilities for scientific research and creative activity, are realized above all through legislative means. They are laid out in the laws (mentioned above) such as the Copyright and Kindred Rights Law and the Patent Law. Both laws conform to the legislation of the developed European States, as well as to the relevant international conventions to which Bulgaria is a party. A Bill on the promotion of scientific activity is currently being drafted and will be dealt with further on. As to the practical measures to implement the legal setup, these include the activities of the Copyright Agency and the associations in the creative fields.

345. The freedom to exchange scientific, technical and cultural information, views and experience between scientists, writers, creative workers, artists and other creative individuals and their respective institutions is not restricted by any normative acts. The only obstacle at present is the lack of financing and updated equipment, which diminishes the possibilities for relationships of the necessary intensity and complexity among the creative and scientific intelligentsia.

346. The measures taken to support learned societies, academies of science, professional associations, unions of workers and other organizations and institutions engaged in scientific research and creative activities are based

on the right to association as a basic right of citizens (art. 12 of the Constitution). On the practical side, this means alleviated regimes for the societies and the professional associations under the existing legislation, coupled with State-funded research activities, etc. The essential difficulties encountered in the exercise of this freedom are related to the economic difficulties of the country. As a result of these difficulties over the past years several application-oriented scientific and research institutes were closed down. The promotion of young creators, particularly in the field of science, has been greatly hindered. The State has had to severely curtail the funds allotted to finance important economic and scientific research.

347. The encouragement and development of international contacts and cooperation in the scientific and cultural fields is a prime goal of the Bulgarian State and its Government. The fullest utilization of the facilities afforded by Bulgaria's adherence to regional and international conventions, agreements and other instruments in the scientific and cultural fields is guaranteed by the legislation and is observed in practice. The participation by scientists, writers, artists and others involved in scientific research or creative activity in international scientific and cultural conferences, seminars, symposiums, etc. is a successful one in terms of quality, but in recent years this participation has suffered in terms of quantity due to severe financial difficulties.

348. The promotion of international cooperation in this field is influenced by several factors. Most important are the difficult financial situations of the country, the insufficient attention paid by State bodies to the problems of science, arts, culture, and others. The Government has adopted programmes for cooperation in the fields of education, culture and science with the United Kingdom, Greece, Spain, Jordan, China, Nigeria and other States. Specifically in the field of cinema, mention should be made of Bulgaria's joining of the 1988 Resolution No. 88/15 of the Committee of Ministers of the Council of Europe. Thus, Bulgaria entered the Euroimages Transeuropean Fund designed to assist the creation and diffusion of European films, as well as the Joint Film Production Agreement concluded between the National Film Centre and the Cinematography Committee of the Russian Federation.

349. During the reporting period serious changes have occurred in the social and legislative reality of Bulgaria, which have affected the exercise of the rights enshrined in article 15, as well as other rights. The transition to a market economy produced a negative impact, as mentioned throughout the exposé on article 15. To overcome it is an important and difficult task requiring arduous efforts on the part of the executive power for a long time to come. With a view to coping with this situation, in 1995 the Ministry of Culture, Science and Technologies started drafting a bill on the promotion of scientific activity so as to regulate the development, goals, structure, organizational setup, functioning and statutes of research organizations, and the financing and the economic regulators to stimulate scientific research. In this way the legislation shall be brought into line with the realities and needs of the country with respect to an accelerated development of science. This will also lead to the creation of a system of institutions designed to form and conduct the national scientific policy. Special attention shall be paid to protecting the freedom of scientific research, guaranteeing the free

exchange of scientific information, and supporting learned societies, academies of sciences, professional associations and other institutions connected to the pursuit and application of scientific research.

350. As to the field of culture and the arts, the most substantial development in the past years has been the promotion of creative freedom.

351. The Government considers it necessary to exert efforts to overcome the stalemate in the field of scientific and applied research and technological development. Being drafted is a strategy for scientific and applied research, which is designed to become the basis for national programmes. The Government shall stimulate the setting up of organizations for technological transfer and shall promote initiatives and actions by public organizations, economic enterprises and other structures. Furthermore, the Government shall review the forms of budgetary financing and shall study and carry out other forms of financial assistance and ease the financial burden.

352. In the field of culture the Government has defined as an underlying principle of its policy the preservation, enrichment and promotion of the cultural estate. There will be created, among others, better conditions for the protection of cultural and historic monuments and archives, for the existence of Bulgarian literature, painting, cinema, theatre and music, cultural clubs and libraries, and for enhancing the level of State art schools.

353. A predominant principle in the field of spiritual culture will be the enjoyment of cultural achievements by the various social strata in accordance with their needs.

354. A particularly important task is the protection of Bulgarian creators and creative workers in the arts.

355. The role of international assistance in the full realization of the rights enshrined in article 15 of the Covenant was described above. Mention should be made at this point of the existence of a number of projects within the framework of programmes such as PHARE, TEMPUS, and others. Highly important also is the bilateral cooperation with scientific organizations, cultural institutes and others.

Notes

1/ Further details about the right to self-determination can be found in the report submitted by Bulgaria on the implementation of the International Covenant on Civil and Political Rights (CCPR/C/32/Add.17 of 15 March 1993).

2/ The source of the statistical data contained in all tables is the 1995 Yearbook of the National Statistical Institute, unless otherwise indicated.

3/ White Book on the situation of the country at the beginning of the mandate of the thirty-seventh National Assembly, published in the daily Duma, 22 March 1995.

4/ Ibid., p. 13.

5/ Ibid.

6/ "The labour market and reforms in Bulgarian industry", an international conference held in Sofia, 18-20 May 1993.

7/ According to figures provided by the Ministry of Defence.

8/ See "Bulgaria 1995. Development of Man. National and Global Development". UNDP. Ministry of Foreign Affairs, 1995, p. 20.

9/ Ibid., pp. 20-22.

10/ Data supplied by the Ministry of Territorial Development and Construction.

11/ Data supplied by the Ministry of Health.

12/ Data supplied by the Ministry of Health Care.

13/ "Bulgaria 1995", p. 77.

14/ According to data of the Ministry of Education, Science and Technologies.

15/ "Bulgaria 1995", p. 45.

16/ According to data of the Ministry of Education, Science and Technologies.

17/ "Bulgaria 1995", p. 43.

18/ See the "White Book", p. 16.

19/ Data of the Bulgarian Teachers Trade Union of the Confederation of Independent Trade Unions in Bulgaria.

20/ Data supplied by the Ministry of Culture.

21/ Ibid.

22/ Ibid.

23/ Ibid.

24/ Ibid.

25/ Ibid.